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TWO CENTURIES OF IRISH HISTORY

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TWO CENTURIES OF IRISH HISTORY

1691–1870

BEING A SERIES OF PAPERS BY

W. K. SULLIVAN, LL.D.; GEORGE SIGERSON, M.R.I.A.;
J. H. BRIDGES; LORD FITZMAURICE;
JAMES R. THURSFIELD;
AND
G. P. MACDONELL

WITH AN INTRODUCTION BY

THE RIGHT HON. JAMES BRYCE

EDITED BY

R. BARRY O'BRIEN

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EDITOR'S NOTE

The First Edition of this book appeared in 1888. Since then three of the Contributors have unhappily passed away—Dr. W. K. Sullivan, Dr. Bridges, and Mr. G. P. MacDonell.

It may be stated that each writer is solely responsible for the correctness of the facts and soundness of the views contained in the part to which his name is prefixed.

The Editor is only responsible for the subject, the title, the plan, and (jointly with Mr. Bryce) for selecting the authors of the book.

R. BARRY O'BRIEN.

March 1907.

1966

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INTRODUCTION[1]

THE annals of Ireland present to the historian a melancholy field, and one which few historians have cared to cultivate. Compared with those of France or Scotland, they are wanting in brilliant figures and dramatic situations. They seldom cross the great central movements of European history, for the island has had but slight and transient relations with any Continental country, and has, until recent times, affected the course of events even in England only during a few short periods. Accordingly Irish history has been little studied out of Ireland. The time seems now to have come when Englishmen and Scotchmen feel the need of knowing more than they have hitherto cared to know of that Irish past which has produced a present so profoundly significant to themselves. But the fact that this quickened interest in Irish history is largely a political interest, born of passing events, makes the task of the historian more than usually difficult. He can hardly fail to be suspected of writing in a spirit of partisanship rather than of scientific inquiry. His pages are likely to be searched less for the sake of obtaining trustworthy information and just views than of finding arguments which may be used in current controversy.

It is no disparagement to this book, which I have taken no small pains to bring before the world, to say not only that the chapters which follow contain no direct reference to the political controversies which now fill the national mind, but that the worth of history for the purposes of practical politics is apt to be, I will not say overrated, yet at least much

[1] Except for a few slight verbal changes, this Introduction remains as originally written (in 1888. See p. v.)

misunderstood. History furnishes no precepts or recipes which can be directly applied to a political problem as a reported case can be applied by judges to a lawsuit brought before them, or even as a theorem of economic science can sometimes be applied to a question of legislation. Men talk of history repeating itself; but that is the one thing which history never does. Situations and conjunctions of phenomena arise which seem similar to others that have gone before them, but the circumstances are always so far different that it is never possible confidently to predict similar results, nor to feel sure that it is necessary either to avoid a remedy which failed, or to resort to one which succeeded on the previous occasion. The use of history to a statesman consists rather in this, that it gives him the data of the problem which lies before him. Statesmanship is a practical science, the foundation of which is a knowledge of the facts to be dealt with, and history helps us to a true comprehension of the facts by showing how they have come into being, and by revealing the causes that have determined their relative importance. What is it that an English statesman ought to know about Ireland? Her economic condition, and how law affects it, and how custom, and how custom modifies law: her religious condition, and what are the sources of the bitterness which religious feeling has taken; whether these sources are drying up, and whether the power of ecclesiastics rests on or is due mainly to their spiritual authority or other grounds also: her social structure, and the causes that have gone far to destroy those relations of respect on the one side, and sympathy and protection on the other, which, where they subsist between the richer and the humbler classes, give stability to the body politic; whether these causes of discord lie deep in the character of the people, or may be explained by a series of unfortunate events: the ideas and habits of the Irish, and the reason why their gifts, in some respects so brilliant, have effected little for the material prosperity and the contentment of the country: the sentiments of the

people, or rather of each class of the people, towards England, as well as towards the law administered in England's name; their sentiments towards their own leaders also, and what are the qualities which attract them, and what the faults they pardon. All these are matters on which hundreds of voices and pens have been daily professing to instruct us, each man giving the view which his partisanship, or his interest, or at best his personal experience suggests. But the only sure guide to a knowledge of them is history, which, critically studied and honestly weighed, supplies indisputable facts by whose help the allegations prompted by passion and prejudice may be tested and the underlying truth be discerned. There will still remain room for difference of opinion as to the remedies to be applied, yet that difference will be far less wide among those who have mastered the facts of history than it is among those who derive their views from current speeches and articles; and the former class will be more diffident and more charitable both in judging the Irish people and in condemning one another's conclusions.

These facts English statesmen, absorbed in their own party struggles, have seldom studied, and indeed have seldom felt the need of studying. The duty of understanding them has now in some measure passed to the body of the English and Scottish people, admitted by recent legislation[1] to a deciding voice in national issues. Irish history, of which the people of Great Britain have hitherto remained almost wholly ignorant, has accordingly become a matter of practical consequence. It is rich in political instruction of the kind I have described, but rich in little else.

Some one, indeed, struck by the melancholy monotony with which similar follies and crimes have in Ireland gone on recurring during whole centuries, has said that Ireland has annals, but no history, because progress, the life of history, is wanting. It is at least true that these annals are dismal reading, from the days of the last national hero

[1] Written in 1888.

who fell at Clontarf to those of the first national statesman who created and adorned the independent and all too short-lived Parliament of 1782. Between Brian Boroimhe and Henry Grattan one finds only fierce clan-chieftains like Shane O'Neil or valiant soldiers like Sarsfield. In the dearth of some more authentic objects of admiration in primitive and mediæval times, patriotic Irishmen have been driven to clothe in the bright colours of their own fancy the early ecclesiastical civilisation of the island—a civilisation remarkable as witnessing to the intellectual gifts of the Goidelic branch of the great Celtic family, but which has left little behind it save the ruins of ancient shrines, numerous poems, and some striking legends, full of weird imaginative power, the offspring of earlier heathen times, together with a mass of primitive legal customs, full of interest in showing the logical acuteness and subtlety of the national mind. Few early races have shown more aptitude both for learning and for literary creation, and the fact that this creative gift has in recent centuries rarely taken shape in the higher kinds of poetry may be ascribed to the unfavourable conditions which, in destroying the old literature, gave little opening for the formation of a new one on the broader basis of modern European culture.

In the ninth century this ecclesiastical civilisation began to crumble under the shocks of Norse and Danish invasion. The Anglo-Saxon civilisation of England suffered in the same way. But in England the invaders were near of kin to the previous inhabitants, and reinvigorated the apparently decaying stock. In Ireland they were far less numerous, and never spread out over the interior.[1] Except in Wicklow and Wexford, they have scarcely affected the population of the island, while the blow they gave to the ancient monarchy

[1] It would seem that the Norsemen were considerably influenced by the Celts, whose civilisation was in many respects more advanced than their own, but did not plant any Scandinavian institutions outside the strongholds they occupied. Probably they were too few in number.

The influence upon early Icelandic poetry of the Gael with whom the Norsemen intermarried is remarkable, and has been dwelt upon by recent Icelandic scholars.

smoothed the path for the Norman-Welsh adventurers who came under Strongbow in the twelfth century.

The conquest of 1169–72 was a conquest only in name. Henry II. did indeed receive the submission of the petty princes of Leinster and Munster, and even of Roderick O'Conor, titular High King of Erin; but neither he nor his successors for nearly four centuries attempted to establish English executive authority, much less English laws, over the greater part of the island. A small district round Dublin (a Scandinavian stronghold which had become the Anglo-Norman capital), the so-called English Pale, was by degrees organised as a little England, with counties, sheriffs, judges, and a rude Parliament under the Lord Deputy representing the English Crown. But the rest of the country remained in wild disorder, a low and crude form of feudalism having become mingled with the tribal system of the aboriginal Celts. The Norman settlers grew to be fully as Irish as the Irish themselves — in fact they became the heads of Celtic clans; and the social condition of the isle was probably far worse, far more adverse to intellectual and moral progress, than it had been in the half-mythic days of Ollam Fohdla, a thousand years earlier. Neither the Irish Church, whose reformation we may charitably believe Pope Adrian IV. to have desired when he sanctioned the invasion of Henry II., nor the mass of the Irish people, gained anything, down to the time of the Reformation, from the events which nominally drew Ireland within the circle of the Romano-Teutonic civilisation of Western Europe, while the possible evolution of a truly national kingdom and national type of culture was fatally arrested.[1]

The first serious efforts to subjugate the island date from the establishment of a strong monarchy in England

[1] The invasion of Edward Bruce offered the best chance for the establishment of an Irish kingdom, which might have leant upon Scotland; but an Irish kingdom, even so supported, might have failed to maintain itself, as Scotland would have failed had Scotland not begun to receive Anglo-Norman arts and arms in the days before the War of Independence.

under the Tudors. Begun under Henry VII., these efforts advanced more rapidly under Elizabeth. They were stimulated by the danger which threatened her from Spain, a country whose statesmen saw, as those of France saw long afterwards, in an outlying and disaffected dependency the weak point of the English realm. The cruelties which accompanied Elizabeth's campaigns and the more revolting injustice of her administrative policy were hardly worse than those which belonged to war and conquest generally in that age—not much worse than the conduct of Alva in Holland, or of Ferdinand II. and Tilly in Germany a generation later. We need not wonder that a half-starved peasantry, speaking a strange tongue, received as little sympathy from English captains, or even from scholars like Edmund Spenser, as the Mexicans had received from the soldiers of Cortes. Though Christian theology was much in men's mouths in the sixteenth century, Christian precepts had little effect upon their conduct. But it was inauspicious that the work of constructing a stable government should have begun in Ireland centuries later than in the rest of Western Europe; that it should have been accompanied by a dispossession of the people from their lands and the unsparing use of fire and famine, as well as of the sword; that the venom of religious hatred should have been added to the hostility of races in different stages of civilisation.

Elizabeth reduced the south of the island and part of Ulster. James I., following in her footsteps, placed a Scottish colony in the north-eastern part of that province, where their descendants, down to our own day, occupying the better lands from which the native Irish had been chased into the mountains, have retained not only their Presbyterian religion, but their Scottish dialect and customs.[1] Ireland was divided into shires, for which a

[1] Sixty years ago these Scottish dwellers in the low lands of Antrim and Down talked broad Scotch, and used to speak of the aboriginal inhabitants of the glens where the Gaelic tongue was still commonly spoken as "thae Eerish."

regular system of judicature and of county government was in theory established; a Parliament was organised, with members from all the shires and a number of so-called boroughs, most of them made boroughs for the very purpose of returning members subservient to Government. Catholics as well as Protestants, aboriginal Irishmen as well as colonists, enjoyed the suffrage and the right to sit. At the same time the ancient tenures of land were abolished, and the rules of English law applied, with a total disregard of the rights of the members of a clan in the land which had belonged to it.

The breathing space under the first two Stuarts was short, if that can be called a breathing space during which the work of dispossessing the natives of their land by every art of chicanery went briskly on. In 1641 the imminence of the conflict between Charles I. and the Parliament of England seems to have precipitated an outbreak in Ireland, for which both religious hatred and the resentment for land robbery had been ripening the minds of the original Irish. Many cruelties were perpetrated on both sides, but recent researches have shown that the natives were neither so distinctly the beginners of the insurrection nor so ferocious in the conduct of it as the English public of that day believed. Civil war raged until the energy of Cromwell, the first Englishman who can be said to have, at least for the moment, conquered all Ireland, enforced a sullen submission. Some have thought that the continuance for half a century of such rule as his, however harsh in its methods, might have proved a blessing to subsequent generations. For severities which had introduced habits of order and brought about an amalgamation of the two races there would have been some palliation. But in fact the chief effect of the Cromwellian settlement was to dispossess a large number of landowners and their dependants, and to intensify the resentment of the Roman Catholics against their Protestant conquerors. In twelve years the Stuarts returned, with

fresh misgovernment in their train. Cromwell's settlers kept their grip on the lands they had seized from the old proprietors, and this additional fountain of bitterness was the only thing that remained from the interval of Puritan sway. Another civil war (1688–91) ushered in the final conquest by William III., which completed the work begun by the first Tudors nearly two centuries before. The island was brought into obedience, the obedience of despair, to the power of England. The forces of civilisation which England had at her command had now free scope for an action which a wise policy might have made beneficent.

But what was the condition of the country, what the temper of the people? Frequent wars had desolated the soil, checked the growth of towns, prevented the rise of commerce or the improvement of agriculture. The great mass of the inhabitants lived in hovels as bad as those of Connemara at the present day, and were always on the verge of famine. Speaking the Gaelic tongue only, without education or the means of getting it, professing a proscribed religion, ignorant of the laws they were expected to obey, they had nothing in common with the Protestant colonists who were now to rule them, not only as magistrates, but also as landlords. Such of the Roman Catholic gentry as had retained their estates were stripped of all political and many civic rights, and left virtually at the mercy of a Protestant enemy. Much of the best blood, and all the more ardent spirits of the nation, unable to brook servitude at home, sought a career in the armies of France, Spain, or the Empire. Among those who remained, whether of the upper or of the humbler class—for a middle class scarcely existed out of Dublin—what room was there for loyalty to the English Crown? To them, smarting from the loss of their land by violence or injustice cloaked with legal forms, and remembering the savage wars of nearly two centuries, the English colonists seemed what the Turks seem now to the Christians of the East—a band of robbers encamped on the

soil that once was theirs, calling themselves a government, but giving none of the benefits of government in return for the rent and taxes they extorted. And the English Crown was nothing but the titular authority which stood behind the English colonists, leaving Ireland to their mercy.

It is well to realise these things, not for the sake of invectives against England, which acted only as conquering nations always do act, and no worse than some nations of that age, but to explain the subsequent course of events. There were two, or perhaps three, distinct masses of population in Ireland, separated from one another by everything but local position. There was a small body of British colonists, a larger nation sprung from the original inhabitants. The colonists themselves were divided, for the Presbyterians of Ulster had little, except aversion to Rome, in common with the Episcopalians of the East and South. The colonists possessed all the power and privilege, and nearly all the wealth; the native population was plunged in ignorance and misery, and excluded from almost all civil rights. Beyond the sea there was in England a strong and prosperous state, centuries ahead of Ireland in many elements of civilisation, and most of all in those parts of civilisation which relate to law and government; a state holding Ireland as a dependency, resolved to let her fall to no other power, but scarcely deigning to attend to her concerns except for the purpose of preventing her industries from entering into competition with those of the richer country.

To help Ireland forward in the path of culture and economic progress, to weld into one the various elements of population inhabiting her soil, and fit them to be politically incorporated with England and Scotland, so as to produce one great and truly united people, each part of which might contribute to the harmonious perfection of the whole—this was the task which lay before English statesmen at the end of the seventeenth century, a task whose accomplishment was, as events have proved, scarcely less essential to the welfare

of the greater than to that of the lesser island. The narrative contained in the present volume, which opens with the Treaty of Limerick, signed in 1691, and broken almost before its ink was dry, relates in detail how this task was dealt with. But before I close these introductory remarks, a few words may be said on the salient features of the period which followed.

Of all the problems of government that of the administration of a dependency is the most difficult, and of all possible modes of administering a dependency that of leaving it to a dominant caste seems to be the worst. The operation of natural forces is interfered with, because revolution, the natural remedy in extreme cases of misgovernment, is prevented by the power of the superior country. The superior country remains ignorant of the facts and insensible of her responsibility. The dominant caste ceases to have patriotism, because it looks to the superior country for support, and remains alienated from the mass of its fellow-subjects. It has even an interest in checking any progress which may threaten its own ascendency. These were the mischiefs which beset the government of Ireland by a small caste of Protestant landlords. There was a Parliament, but it was a caste Parliament, and it had too little power to have a sense of responsibility, for ultimate control lay with the viceroy and the English ministry. For Ireland to have been ruled by a despotic viceroy would have been better; for such a viceroy, had he remained long in office, might have been so touched by the sufferings of the people and offended by the insolence of the caste as to seek to signalise his administration by beneficent reforms. But even the chance of benefit from reforming viceroys was denied. They came and went in quick succession. They came mostly to enrich themselves and their dependants, and such action as they took was taken to secure what they called "the English interest." The ministry in London neither knew nor cared how the people fared in Ireland. The people could hardly have

fared worse. While England, and presently Scotland also, made rapid strides, Ireland stood still. Says Mr. Goldwin Smith:—

"The mass of the people were socially and economically in a state the most deplorable, perhaps, which history records as having existed in any civilised nation. . . . The Irish gentry were probably the very worst upper class with which a country was ever afflicted. Their habits grew beyond measure brutal and reckless. Their drunkenness, their blasphemy, their ferocious duelling, left the squires of England far behind. . . . Over the Roman Catholic poor on their estates these 'vermin of the kingdom,' as Arthur Young calls them, exercised a tyranny compared with which the arbitrary rule of the old chiefs over their clans was probably a parental authority used with beneficence and justly repaid by gratitude and affection. . . . All moral restraints on the growth of population were removed by the compulsory ignorance with which Protestant ascendancy and the penal laws had plunged the Catholic peasantry and the abject wretchedness of their lot. . . . The island became utterly overcharged with population. A mortal struggle for existence between the cotters on the one side and the 'middlemen' and tithe-proctors on the other then commenced, and a century of agrarian conspiracy and crime was the result. The atrocities perpetrated by the Whiteboys, especially in the earlier period of agrarianism (for they afterwards grew somewhat less inhuman), are such as to make the flesh creep. No language can be too strong in speaking of the horrors of such a state of society. But it would be unjust to confound these agrarian conspiracies with ordinary crime, or to suppose that they imply a propensity to ordinary crime either on the part of those who commit them or on the part of the people who connive at and favour their commission. In the districts where agrarian conspiracy and outrage were most rife, the number of ordinary crimes was very small. In plain truth, the secret tribunals which administered the Whiteboy code were to the people the organs of a wild law of social morality by

which, on the whole, the interest of the peasant was protected."[1]

It was under conditions like these that the suspicion of the law and its ministers became worked into the very nerves and blood of the Irish peasant. His lawlessness, which scarcely exceeded the lawlessness of the landlord magistrates who ruled him, was not political, but directed against the land system and tithe system from which he suffered. He was too ignorant to have political aspirations; nor did the Catholics make any movement in favour of either the elder or the younger Pretender. It was among the Ascendancy party that resistance to England began. They saw Irish manufactures destroyed for the sake of English manufactures; heavy duties laid on Irish exports to England; Irish revenues jobbed away in providing places or pensions for favourites too disreputable even for the corrupt England of that day. England did nothing for Ireland, and suffered her to do nothing for herself. Then at last the natural forces that make for freedom asserted themselves. Even among this tyrannous aristocracy a national feeling sprang up, and some of its better members, by the help of the Presbyterians of Ulster, who had long smarted under oppressions, and had now been inspired with hope by the revolt of the American colonies, seized for the first time upon England's necessity as Ireland's opportunity, and extorted, in 1782, the recognition of legislative independence. Though the Irish Parliament, which lasted from that year to 1800, was usually more than half filled with pensioners, placemen, and the nominees of the Crown or of some magnate, and though only Protestant Episcopalians were eligible to sit in it, it swept away some bad laws and gave a momentary stimulus to the material prosperity of the island. A still better result of freedom was seen in the appearance of a large and liberal Irish patriotism. The Roman Catholics, therefore, downtrodden and despairing, took hope and be-

[1] "Irish History and Irish Character," pp. 189 *sqq.*

stirred themselves. Religious hatreds were for the moment swallowed up in a comprehensive enthusiasm for the greatness and happiness of the country.

The concessions made in 1782 mark the first stage in the evolution of modern Irish nationality, created, not as in other countries, by the possession of a separate language and literature, or by pride in a separate history, but by the unwise policy of England. Grattan and Flood, Ponsonby and Langrishe, did not look back to, nor feel themselves the successors of, such Irish leaders as Shane O'Neil or Sarsfield. It was to the English, not to the Irish Celts, that they were linked by social and literary as well as by religious ties. England kindled among them, her own colonists, the flame of Irish national feeling when, among the Catholic Celts, it was dying away to a feeble spark, kindled it in Ireland, with the same folly as English statesmen showed in their dealings with America, by crippling Irish industries and humiliating the Irish legislature. This new national feeling stimulated and dignified the first acts of the Irish Parliament of 1782. But having far too narrow a basis, being full of corrupt men, and closed to all others than Protestant Episcopalians, this Parliament did not supply a wide enough channel for the new stream of national life which, so to speak, overflowed into extra-legal associations, first the Protestant Volunteers, who continued to hold formidable gatherings after their first aim had been accomplished, and then the Society of United Irishmen. Still, great as were the faults of the Irish House of Commons, all might have gone well had the island been left to herself. But Ireland was still a dependency, ruled by an Executive appointed from England, and the evils incident to a dependency reappeared in fatal force. The worse elements in the Ascendancy party drew together, and resolved to secure their dominance by forcing England to support them. The excesses of the Terror in France and the progress of the French arms had terrified the Crown and the ministry in

England, making them less than ever willing to see the Irish Parliament reformed, its basis enlarged, its powers consolidated. In Ireland itself the more advanced section of the patriotic party, led by Wolfe Tone, and strong in the towns of Ulster, was inclining to republicanism. Pitt hesitated for a time between repression and reform; but in 1795 the choice was made, and the fatal recall of Lord Fitzwilliam, the viceroy who had been sent with a message of peace, while it stimulated the revolutionary party of the United Irishmen, left Grattan and the constitutional reformers to be overborne by the forces of bigotry, selfishness, and corruption among the Ascendancy faction as well as by the power of England.

One is loth to believe that even such men as Fitzgibbon and his associates, much less Pitt, entertained the fiendish scheme of bringing about a union by provoking a rebellion. But the steps taken were well calculated to provoke an outbreak; and when the rebellion had been quenched in blood, it became an irresistible argument for effecting the changes Pitt desired. The atrocities on both sides were horrible, yet the massacres perpetrated by the peasantry at Vinegar Hill yield to the hideous cruelties in which the Orangemen revelled, and which the Government refused to repress or punish.[1] There is, indeed, no parallel in modern history to the conduct of those who "restored order" in 1798–9, except that of the Jacobin party in France during the Terror of 1793, and if there was more bloodshed during the Terror in France, there was more torture during the Terror in Ireland.

Whatever may have been the motives of those who brought about the Union of 1800—and no censure can be too severe for the methods they employed—there were strong grounds, over and above the supposed precedent of the Scottish Union, to recommend it, grounds which did not convince the Whig leaders of that day, but which Pitt

[1] Lord Cornwallis seems to have tried, but the passions of the governing class and of his own subordinates prevailed against his intentions.

may well have deemed overwhelming. Union with Great Britain appeared to take Ireland out of the position of a dependency; to offer a prospect of welding the different sections of the people together by the emancipation of the Roman Catholics; to put an end absolutely to commercial hostilities, relieving the industries of Ireland from injury by British tariffs; to open up to her inhabitants a wider career; to accelerate material progress by promoting the influx of British capital; to give Great Britain an interest she had not hitherto felt in the welfare of what was now to become a part of herself.

Why were these expected results not attained? What were the causes which kept Ireland, after the Union as before, wretched and disaffected?

To enact that the Crowns and Parliaments should be one was not enough; it was necessary to make the peoples one. This could be done only by bringing the more backward people up to the level of the more advanced. That process ought to have been governed by two principles, the principle of equality, and the principle of special treatment—principles between which there is no real inconsistency. Neither principle was applied. Equality was not given, because in Ireland the church of the small minority remained not only dominant, but oppressive by her exactions, while in England and Scotland the church of the majority was the Established Church; and because in Ireland a seat in Parliament was confined to the members of a caste, while in England and Scotland it was open to the bulk of the nation. Special treatment was given only in the form of severe coercion Acts, while all the remedies which the economic misery of Ireland and the absence of practical justice called for were refused. Ireland remained, after the Union as before, a dependency, with the old evils of dependency government, concealed in outward seeming by the admission of Irish members to the British Parliament, but aggravated in reality by the fact that those members were less truly representative, and more

faintly responsible, than they had been in the Irish Parliament of 1782–1800, when the Irish House of Commons was animated by a national feeling, and when, debating and voting under the eyes of the people, it could not fail to be influenced by their opinion and to fear their displeasure.

There was, however, a species of union effected in 1800. At that date there were still in Ireland, as there had been in 1691, two disparate elements—a comparatively small population sprung from English colonists holding nearly all the wealth, privilege, and power; a larger population, Roman Catholic in faith and of Celtic blood, still plunged in ignorance and misery. In 1782 and the immediately succeeding years, the nascent sense of nationality had begun to bring about a fusion of these two elements; but the Rebellion intervened, and the Terror of 1798 rekindled the hatreds of 1689. It was, therefore, upon the members of the smaller body of inhabitants, sprung from the British colonists and professing the dominant faith, that the Union took effect, making them look more than ever to England, dividing them sharply as ever from the children of the dispossessed natives and persecuted Catholics. Before the Union the colonists had been Irish to the English, and English to the Irish; after it they were only English to the Irish. The nascent flame of Irish patriotism in the upper classes was quenched. The richer among them were drawn more and more to England, and cared less and less for the welfare of the land of their birth. Those who ought to have been, by their education, abilities, and rank, the natural leaders of the people, abandoned the leadership in national movements to men more prone to violence, and more permeated by the prejudices of the subject multitude. This was the substance of Grattan's argument against the Union, that it took away responsibility from the governors, destroyed the patriotism of the upper classes, severed them from the masses of the people, shattered the authority of property and education, threw the bulk of the nation into the hands

of agitators and adventurers. A reformed Irish Parliament would have retained the leadership of the country; an Imperial Parliament lost it.

England had refused to listen to Grattan; she was next confronted by O'Connell, who first showed to his countrymen how the united Parliament might be used for their purposes.

The government of a dependency discloses the weak points of a constitution. The Crown, which was powerful down to 1832, and the House of Lords, which has been able to maim or delay measures of change down to our own time, are answerable for many of England's failures in Ireland since 1800. In England these authorities did no great harm, because they knew when to yield to the opinion which was all around them. The feelings of distant Ireland could be ignored. The obstinacy of George III., who, as King of Ireland, had yielded the suffrage to the Catholics in 1793, prevented Catholic emancipation in 1800, when it might have made the Union at least tolerable; the still less excusable perversity of the otherwise far from scrupulous George IV. delayed it till the concession had lost all its grace. The power of the House of Lords, which had now become totally unamenable to any Irish influence, except that of the landlords, continued to produce not less deplorable results after Catholic emancipation had been carried. It crippled the beneficent efforts of the Melbourne ministry in 1835–41; it threw out Mr. Napier's Land Bill, though proposed by a Tory Government, in 1852; while later instances, culminating in the rejection of the Compensation for Disturbance Bill of 1880, will rise to every one's mind.

Since 1800 there have been three epochs at which a prospect opened of repairing the errors then committed, of winning the confidence of Ireland and bringing her into real accord with Great Britain. The first of these came in 1829, with the passing of Catholic emancipation. It was lost because the ministry then in power clogged

the emancipation with humiliating conditions, and refused to follow it up by subsidiary economic and administrative reforms. The second came in 1835, with the accession of the Melbourne ministry. It was used to some extent, and with good results, so far as they went—results largely due to the enlightened humanity and statesmanship of Thomas Drummond, Under Secretary for a short, unhappily too short, space. Then a change in the balance of English parties arrested a process with which English party questions ought to have had nothing to do. Dependencies have more chance under a wise autocrat than under a shifting assembly, as the Roman provinces were better governed by the emperors than by the Senate and the Comitia. The third opportunity came with the collapse of the insurrectionary movements of 1848, on the morrow of the great famine, and was frittered away in a succession of petty and only half sincere attempts to deal with the tenant-right question. Wretchedness and disaffection remained; and England, which had refused to listen to O'Connell, found herself confronted by a new set of conspiracies and new groups of revolutionaries, now for the first time drawing most of their support from beyond the ocean, where a large population of Irish origin had grown up.

Not long after the suppression of the Fenian attempts at rebellion, a new era opened with the Irish Church Disestablishment Act of 1869. Mr. Gladstone resumed with greater energy and with stronger British support the policy first attempted by the Melbourne government a generation earlier. Even before 1869 Mr. Bright among statesmen, and Mr. Goldwin Smith among writers, had endeavoured to bring the true state of Ireland and the remedies she needed before the British people. Mr. Gladstone was, however, the first leader of a great party who steadily maintained and gave far-reaching effect to the principle that Ireland ought to be governed in the interests of her own people, and not in those of England or of the Ascendancy party, and that legislation for her ought to be framed not merely

according to English ideas, but with due regard to the peculiar conditions which centuries of misgovernment and misery had produced. Adumbrated in 1869 and 1870 (the year in which a great Land Act was passed), this new principle found a fuller, and indeed a startling expansion, in 1886, when Mr. Gladstone introduced the earlier of his two Home Rule Bills.

Nothing of what has been here said is matter of controversy to-day. Thoughtful Englishmen of all parties are now agreed in holding that the Union was carried at an unfortunate moment and by questionable methods; that it ought to have been accompanied by Catholic emancipation; that more sweeping measures of land reform ought to have been sooner passed; that the Protestant Episcopal Church ought not to have been allowed to stand as an Establishment down to 1869; that the system of local administration ought to have been thoroughly remodelled and made popular. Thoughtful Englishmen of all parties admit that the chief cause which has prevented the union with Ireland from bearing the same fruits of contentment as the union with Scotland did, is the fact that Ireland continued to be a dependency governed by a caste, and that her voice, partly through her own fault, partly through that of England, or through both, failed to make itself listened to in the council-halls of the Imperial Parliament, which would certainly have dealt with the evils of the country had it realised their gravity. Physiologists tell us that when an organ fails to do its proper work, some other organ is developed, or raised into abnormal activity, in order to supply the defect. It was thus that when, after 1782, the Irish Parliament, from its faulty constitution, failed to carry through the reforms that were needed, the Convention of Volunteers sought to express the will of the dominant part of the nation. So too, when, after 1800, the representatives of Ireland at Westminster were unable to secure the emancipation of the Catholics, the Catholic Association arose to speak in the name of the Catholic majority; so

in later times other organisations have established their sway among the people, because constitutional means were deemed delusive and inadequate. In whatever country a constitutional expression of popular will is wanting, or is overborne by external force, economic sufferings or social disorders are apt to produce an irregular government, supported by the people, but unhappily teaching them habits which make constitutional government more than ever difficult.

There would be little profit in trying to apportion between England and the different classes and parties in Ireland the blame for the misfortunes of the period that lies between 1691 and 1869. When it is perceived that most of these misfortunes were a natural result of the position in which the two islands found themselves, the charge of deliberate malignity which some Irishmen have brought against England falls to the ground. The oligarchy that ruled England down to 1832 was often selfish, as all governments are apt to be, and oligarchies even more than others. England's chief faults, after the Union of 1800, were ignorance and heedlessness — faults always found where the governed are far from the sight of the governors, and misgovernment brings no direct or immediate penalty in its train. United not to the Irish people as a whole, but to a caste which was hardly a part of that people, and knowing that caste to be bound to herself, she allowed it to govern in her name. She did not heed, because she scarcely heard, the complaints of the oppressed race. It is true that Lord-lieutenants and Chief Secretaries were almost always Englishmen. But going to Ireland with no previous knowledge of the country, and living there among the Ascendancy faction, they saw with its eyes and heard with its ears. Even statesmen like Peel and Goulburn appear in Irish history as the mere mouthpieces of the lawyers and officials who surrounded them, and accepted the brutal remedies for disorder which those officials, following the old traditions, suggested to them. Nor,

when the turn of the Whigs came, did they cordially recognise the equality of rights and duties to which the Catholics had been admitted in 1829, but sought to deal with them as if they were still an inferior class. Had England, even that unsympathetic oligarchy which ruled in the days of the four Georges, governed Ireland directly, influenced by no one class in Ireland more than any other, she could hardly have failed to remove many of the evils of the country. Had she left administration and legislation entirely in the hands of the Ascendancy men, excluding them from the legislature of Britain, the administration would probably have been no worse, and a spirit of Irish patriotism, a sense of responsibility to the mass of the inhabitants, and dread of their displeasure, such as seemed to be growing up in the last half of the preceding century, might have arisen to weld the Anglo-Irish and the native Irish into a united people. It was the combination of Dependency government with the practical control of a denationalised caste that proved so fatal during the first seventy years of the nineteenth century, as during the first eighty of the eighteenth.

The faults of the Irish people are no less clearly traceable to the conditions under which they lived. Miseries unparalleled in modern Europe, miseries which legislation did not even attempt to remove, produced agrarian crimes and lawless combinations. The sense of wild justice that underlay these crimes and combinations bred an ingrained hostility to law, and a disposition to sympathise with those who braved it. Englishmen who admit this explanation of the most distressing feature of Irish peasant life, are surprised that it should still subsist. But though it sprang up as far back as the first half of the eighteenth century, the conditions that produced it—that is to say, agrarian oppression and the absence of equal justice locally administered — remained long after the Union in scarcely diminished potency. With the aversion to law there came naturally an aversion to the so-called "English

Government" and to England herself. It was intensified among the leaders of the people by the events of 1798, and perpetuated by the contempt with which Irish patriotism was usually treated in England—a contempt in curious contrast with the sympathy which England warmly and frequently expressed for national movements elsewhere.

England expected loyalty from the Irish, especially after she thought she had honoured them by union with herself. But what was there to make them loyal either to the Crown or to the English connection? Loyalty is a plant which does not spring up of itself. A healthy seed must be sown, and sown in a congenial soil. Loyalty to the Crown is in England the result of centuries of national greatness, of a thousand recollections grouped round the head of the State, who personifies the unity and glory of the nation. In Ireland the recollections were recollections of conquest mingled with not a few of cruelty and treachery. The dominant caste, which had gone to the verge of rebellion in 1782, called itself loyal when, in 1798, the subject race followed the example which the Volunteers had set. This caste has since then professed attachment to the English Crown. Its attachment has not been disinterested. "Doth a man serve God for naught?" The Protestant Ascendancy had solid reasons for adhering to the power which maintained it as an ascendancy. But the other Irish nation of a century ago, the nation of Celts and Roman Catholics, had in those days no more reason for loyalty to the King of England than the Christians of the East have for loyalty to the Turkish sultan. Nor had the English kings generally sought to foster loyalty in the way which kings find most effective, by their personal presence. Before the appearance of James II., followed by the conquering entrance of William III., only three sovereigns had set foot in Ireland—Henry II., John, and Richard II. Since the battle of the Boyne only one royal visit was paid, that of George IV. in 1824, down

to the visit of Queen Victoria in 1849. On both those occasions the sovereign was received with the greatest warmth, as was King Edward VII. in 1904. Why was one of the most obvious services a monarchy can render so long and so strangely neglected?

The want of a capacity for self-government, which is so often charged upon the Irish, does not need to be explained by an inherent defect in Celtic peoples when it is remembered that no opportunity of acquiring it was afforded them. Since the primitive clan organisation of the native race was dissolved in the sixteenth century, neither local nor national popular self-government had ever existed in Ireland, until the establishment in our own time of representative municipal institutions in the larger towns, followed, after a long interval, by the County and District Councils of 1898. There were practically no free elections of members of the House of Commons till the famous Waterford contest of 1826, and even after that year an election was almost always a struggle between temporal intimidation by landlords and spiritual intimidation by priests. The Ballot Act of 1872 is the true beginning of Parliamentary life in the Irish counties, and seems to mark a turning-point in Irish history.

That Irish political leaders have sometimes wanted a sense of responsibility, have been often violent in their language, agitators and rhetoricians rather than statesmen, is undeniable, and must be borne in mind when England is blamed for refusing to follow their advice. But vehemence and recklessness were natural to men who had no responsibility, whom no one dreamt of placing in administrative posts, who found their counsels steadily ignored. They, like the people from whom they sprung, had no training in self-government, no enlightened class in sympathy with them, and able to correct by its more sober opinion their extravagances. Agitation was the only resource of those who shrank from conspiracy or despaired of insurrection; and the habit of agitation produced a type of character, as Cervantes says that every man is the son

of his own works. Leadership had, with some honourable exceptions, become divorced from education and property, because the class which gave leaders to the nation in the thirty years before the Union had now been thoroughly denationalised. Where popular leaders are chargeable with any particular set of faults, those faults are almost invariably the result of the refusal of the educated and propertied class to recognise the needs and associate themselves with the aspirations of the people.

The reflection may occur that if these unhappy features in the character of English rule and the temper of the Irish people during the last three centuries were the result of causes acting steadily during a long period of time, a correspondingly long period of better relations will be needed to efface them. History, however, if she does not absolutely forbid, certainly does not countenance such a prediction. It has sometimes happened that when malignant conditions have vanished, and men's feeling undergone a thorough change, a single generation has been sufficient to wipe out ancient animosities, and capacities for industrial or intellectual or political development have been disclosed which no one ventured to expect. Necessity and responsibility are the best teachers. Even the dreary annals of Ireland show some progress from century to century. Since 1886 that progress has been rapid, and it still continues. In a time like ours, changes of every kind move faster than they did in days of darkness and isolation; and, though there are moments when clouds seem to settle down over Ireland or over Europe as a whole, yet if we compare the condition of the world now with that of a century ago, we find ample grounds for a faith in the increasing strength of the forces which make for righteousness and peace.

JAMES BRYCE.

TWO CENTURIES OF IRISH HISTORY

PART I

FROM THE TREATY OF LIMERICK TO THE ESTABLISHMENT OF LEGISLATIVE INDEPENDENCE

1691–1782

By Dr. SULLIVAN

I

THE TREATY OF LIMERICK; THE LAST CONFISCATION; AND THE FIRST PARLIAMENT

On October 3, 1691, the Treaty of Limerick, closing the last struggle for Irish independence, was signed.

James II., driven from England, took his stand in Ireland, where the Irish rallied round him, not from any attachment to his dynasty or person, but because his position gave them a rallying-point to fight for national freedom. The details of the war are familiar history, yet it will be useful to briefly summarise the more salient facts.

On the accession of James II. he appointed the Earl of Clarendon viceroy of Ireland, and Richard Talbot, afterwards Duke of Tyrconnel, commander-in-chief of the army. When leaving for Ireland, James told Clarendon that he would maintain the Acts of Settlement and Explanation; and that, although the Catholics should have the freedom of

their religion and equality of privileges, he would let them see too that he looked upon them as a conquered people, and that he would support the Settlement inviolably. In this spirit Clarendon acted, and did everything he could to evade redressing the grievances of the Irish, by appointing them officers, magistrates, and so forth. Tyrconnel, on the other hand, disbanded the colonial militia, a well-armed body, and attempted to disarm them also. The march of events in England, the hostility of the English interest, and the uprise of an Irish public opinion, soon put an end to this dull government. Clarendon was recalled, and Tyrconnel took his place as viceroy.

While Tyrconnel was organising an Irish army, James being still king in England, he committed a great blunder, which had far-reaching consequences, contributing in no small degree to the overthrow of the Stuart dynasty. He withdrew the garrison of Derry in order to send aid to King James in England. The removal of the garrison left the field clear for the partisans of William. When the Earl of Antrim was sent to repair the blunder, the young men of Derry resolutely closed the gates of the town against James's troops on December 7, 1688, and on February 20, 1689, William of Orange was proclaimed king in Derry. In this way the English got possession of one of the most important ports in the kingdom.

On March 12, 1689, James II. landed at Kinsale. Thence he hastened to Dublin, and summoned a Parliament, which met on May 7, 1689, and sat until July 18. This Parliament of James has been described as a Parliament of Irish Celts, yet out of the 228 members of the House of Commons about one-fourth only belonged to the native race, and even including members of families Anglicised or of doubtful origin, not one-third of the House of Commons belonged to the so-called Celts. Of the thirty-two lay peers who attended, not more than two or three bore old Irish names. The four spiritual peers were Protestant bishops, among whom was the notorious Dr. Dopping; no Catholic bishops were summoned. Thirty-five Acts were passed, many of which were merely for the undoing of previous hostile

legislation, such as the repeal of Poynings' Act, the repeal of the Acts of Settlement and Explanation, the repeal of the Act for keeping and celebrating October 23 as an anniversary thanksgiving in Ireland. Of the positive Acts the most notable were: an Act to secure liberty of conscience, and to repeal such Acts, or clauses of Acts, as were inconsistent with the same; and an Act for removing all incapacities from the natives of Ireland. James did not approve of the legislation of his Irish Parliament, and, but for the presence of the Comte d'Avaux, the French ambassador, it is probable he would not have consented to the repeal of the Acts of Settlement and Explanation.

Sufficient men had presented themselves to form fifty regiments of infantry and a proportionate number of cavalry. But as the native Irish had been excluded from serving in the army and militia, and as far as possible disarmed, these levies were undisciplined, and their officers, with few exceptions, were without military training and experience. There were no arsenals, and in the Government stores only about one thousand serviceable firearms were found; there was no artillery, and no supply of ammunition, or of appliances for an army in the field. The colonists,[1] who for the most part took the English side, were accustomed to the use of arms, having served in the disbanded militia, which had been well armed. They possessed a considerable force sufficiently trained and armed to do garrison duty efficiently. The great want of the Irish in this, as in all previous Anglo-Irish wars, was money. What coin was in circulation was small in quantity and debased in quality. James's Government issued a brass coinage, which had no currency outside the kingdom, and even within it practically circulated only among the partisans of James, and could not consequently help in purchasing arms, ammunition, and military stores, which had to be imported from without.

Under such unfavourable circumstances, the war began. The first campaign comprised the siege, or rather blockade, of Derry—for the Irish, having no artillery, could not under-

[1] That is, chiefly the Protestants of English or Scottish origin.

take a regular siege—which was gallantly defended by the Scoto-English colonists; the check of Mountcashel by the Enniskilleners, who had followed the example of Derry; the landing of Schomberg with an army of Dutch, French Protestants, and English, who went into winter quarters near Dundalk, where he lost nearly half his troops from sickness; and, lastly, the military parade of James, who marched out from Dublin, and, failing to force Schomberg to fight, went into winter quarters himself. The result of the campaign was the successful defence of Derry, and the signal exhibition of James's incapacity as a general.

At the opening of the second campaign, an exchange of troops was made between James and Louis XIV., with the view of giving prestige to the cause of the former. Six thousand French troops, under a drawing-room general, the well-known Comte de Lauzun, arrived in Ireland, and the same ships carried back an equal number of Irish troops —the brigade of Mountcashel, the best-trained and best-equipped body of troops in the Irish army. These troops, re-formed in France into three regiments of two battalions each, constituted the first Irish brigade in the service of France. This brigade, composed of native Irish, and led by Justin MacCarthy, Lord Mountcashel, who was much disliked by Tyrconnel, was more national than dynastic in spirit, and so it was considered very desirable to get such a body out of the way.

The wasted army of Schomberg was strengthened by the arrival of William himself on June 14, 1690, with a considerable force. The united armies, composed of the most heterogeneous materials, one-half being foreigners of various nationalities, amounted to between 36,000 and 48,000 men.[1] They were well equipped, armed, and trained, most of them being veterans, and duly supplied with artillery, and with everything necessary for an army

[1] See discussion on the numbers of the opposing forces at the Battle of the Boyne in the "Notes and Illustrations" to the *Macariæ Excidium*, by the late John Cornelius O'Callaghan, the most careful and impartial authority on the subject (O'Kelly's "Destruction of Cyprus," published by the Irish Archæological Society, 1850, pp. 340–360).

in the field, commanded by an able general, whose staff was efficient and experienced. To meet William, James set out from Dublin with an army of about 23,000 men. The French troops and the Irish cavalry were good, but the infantry was not well trained, and the artillery consisted only of twelve field-pieces. The battle took place on July 1, 1690, at the passage of the River Boyne, a few miles above Drogheda. The Irish fell back on Dublin, and thence retired behind the line of the Shannon. About 20,000 half-armed infantry and about 3500 horse concentrated at Limerick. The English having failed in taking Athlone, the key of the upper Shannon, William gathered together about 38,000 men in the neighbourhood of Limerick. Lauzun, having declared that Limerick could not be defended, and might be taken with roasted apples, withdrew with the whole of the French troops to Galway, to await the first opportunity of returning to France. On August 9, 1690, William moved his whole army close to the town, and summoned the garrison to surrender; but having failed, with a loss of 2000 men, to carry the town by assault, he raised the siege and went to England.

The third and last campaign began late in 1691. The Irish received many promises of assistance from Louis XIV., but his ministers fulfilled few or none of them. With scarcely any loss of men, and with a small expenditure of stores and money, the Irish war enabled Louis to keep William and a veteran army of 40,000 men out of his way. The Irish troops in Limerick were, during the winter following the raising of the siege, half starved, half armed, and almost naked, and consequently unable to do anything until the arrival of the French fleet in the Shannon with arms, stores, and provisions, but no troops. There came, however, Lieut.-General St. Ruth, a French officer of merit, to take the command-in-chief of the Irish army, and he was accompanied by Major-General D'Usson. The campaign opened in the beginning of June with the advance of Ginkel on Athlone. The chief defence of the place was the River Shannon, the works being weak, and mounting only a few field-pieces; yet so obstinately was

the place defended, that but for the discovery of a ford, and some neglect on the part of D'Usson, who commanded, it is probable that the siege would have been raised. As it was, Ginkel became master of the heap of ruins before St. Ruth knew of the attack, though encamped only a few miles distant. St. Ruth moved his camp to Aughrim, and there was fought the final battle of the war on Sunday, July 12, 1691. The English were superior in numbers, in appointments, and small arms, but above all in artillery.[1] St. Ruth was killed at a critical moment, and his army defeated, with a loss of about 4000 men, the English loss being about half that number. Part of the defeated Irish infantry retreated to Galway; but the bulk of the troops, including the whole of the cavalry, fell back on Limerick, which surrendered, after a gallant resistance, in October 1691.

The Treaty of Limerick was signed on behalf of the English by the Lords Justices, Sir Charles Porter and Thomas Coningsby, and Baron De Ginkel, commander-in-chief of the British forces; on behalf of the Irish, by Sarsfield, Lord Gallmoy, Colonel Nicholas Purcel, Colonel Nicholas Cusack, Sir Toby Butler, Colonel Garret Dillon, and Colonel John Brown.

Its chief provisions were—

"The Roman Catholics of this kingdom shall enjoy such privileges in the exercise of their religion as are consistent with the laws of Ireland; or as they did enjoy in the reign of King Charles the Second; and their Majesties, as soon as their affairs will permit them to summon a Parliament in this kingdom, will endeavour to procure the said Roman Catholics such further security in that particular as may preserve them from any disturbance upon the account of their said religion.

"All the inhabitants or residents of Limerick, or any other garrison now in the possession of the Irish, and all officers and soldiers now in arms under any commission of King James, or those authorised by him to grant the

[1] See the discussion as to the strength of the opposing armies at the battle of Aughrim in the "Notes," etc., to *Macariæ Excidium*, pp. 433–461.

same in the several counties of Limerick, Clare, Kerry, Cork, and Mayo, or any of them, and all the commissioned officers in their Majesties' quarters that belong to the Irish regiments now in being that are treated with, and who are not prisoners of war, or having taken protection,[1] and who shall return and submit to their Majesties' obedience, and their and every of their heirs shall hold, possess and enjoy all and every their estates of freehold and inheritance; and all the rights, titles, and interest, privileges and immunities, which they, or every or any of them, held, enjoyed, and were rightfully and lawfully entitled to in the reign of King Charles II., or at any time since by the laws and statutes that were in force in the said reign of King Charles II., and shall be put in possession, by order of the Government, of such of them as are in the king's hands, or the hands of his tenants, without being put to any suit or trouble therein." Furthermore, all such estates were to be freed and discharged from all arrears of Crown rents, quit-rents, and other public charges which were incurred, or became due since Michaelmas 1688, on condition of taking a simple oath of allegiance to William and Mary.

The other articles recognised the rights of merchants of the protected towns who might have been beyond the sea at the time of the capitulation, and the rights of certain officers abroad on the business of the Irish army. A general pardon was to be granted to all persons comprised within the treaty, and the Lords Justices and the generals commanding King William's army were to use their best endeavours to get the attainders of any of them attainted repealed. Finally, noblemen and gentlemen were to have liberty to ride with a sword and case of pistols, and to keep a gun for defence or fowling.

In the copy of the rough draft engrossed for signature the following words, "and all such as are under their protection in the said counties," which immediately followed the enumeration of the several counties in the second article, were omitted. This omission, whether the result of design or accident, was, however, rectified by

[1] Galway being protected by a separate capitulation.

King William when confirming the treaty in February 1692. The confirming instrument stated that the words had been casually omitted; that the omission was not discovered till the articles were signed, but was taken notice of before the town was surrendered; and that the Lords Justices or General Ginkel, or one of them, had promised that the clause should be made good, since it was within the intention of the capitulation, and had been inserted in the rough draft. William then for himself did "ratify and confirm the said omitted words."[1]

The colonists, or at all events the "new interests"—that is, those who shared or expected to share in the confiscations—were indignant at the concessions made to the native race. They thought the mere Irish had been secured the possession of too much land, and that they ought not to have been left anything whatever.[2]

Having concluded the treaty, the Lords Justices returned to Dublin, and attended Christ's Church on the following Sunday, where Dr. Dopping, Bishop of Meath, preached a sermon on the late events at Limerick, in which he argued

[1] Confirmation of the Articles of Limerick, February 24, 1692 (Plowden, vol. i., Appendix; Froude, "The English in Ireland," vol. i. p. 205).

[2] Sir Charles Wogan, better known as the Chevalier Wogan, in his remarkable letter to Dean Swift, states that King William offered, before the battle of Aughrim, to his uncle, the Duke of Tyrconnel, the following terms: the free exercise of their religion to the Irish Catholics; half the churches of the kingdom; half the employments, civil and military too, if they pleased, and even the moiety of their ancient properties. Sir Charles tells us that "these proposals, though they were to have had an English Act of Parliament for their sanction, were refused with universal contempt. Yet the exiles, in the midst of their hard usage abroad, could not be brought to repent of their obstinacy. Whenever I pressed them upon the matter, their answer was generally to this purpose: 'If England can break her public faith, in regard of the wretched Articles of Limerick, by keeping up a perpetual terror and persecution over that parcel of miserable unarmed peasantry and dastard gentry we have left at home, without any other apology or pretence for it but her wanton fears and jealousies, what could have been expected by the man of true vigour and spirit, if they had remained in their country, but a cruel war, under greater disadvantages, or such a universal massacre as our fathers have often been threatened with by the confederate rebels of Great Britain—*ad quod non fuit responsum?*'"—Letter of Sir C. Wogan to Dean Swift, February 27, 1732 (Swift's Works, Bohn's edit. vol. ii. p. 667).

that no faith should be kept with so perfidious a people as the Irish. On the next Sunday Dr. Moreton, Bishop of Kildare, preached in the same church, but argued in favour of keeping public faith. And on the third Sunday Dean Synge preached in the same church, and took a middle course. "Keep peace with all men, if it be possible," was his text. William did not sympathise with those who desired to violate the treaty. He removed Dopping's name from the Privy Council, and put Moreton's in his place.

The spirit in which the colonists intended to understand the treaty is best shown by the action of the sheriffs and magistrates throughout the country, who believed that, under the protection of the foreign army, they might commit any injustice or outrage they pleased upon the disarmed natives. It is stated in a letter of the Lords Justices, written on November 19, 1691, six weeks after the surrender of Limerick, that their lordships had received complaints from all parts of Ireland of the ill-treatment of the Irish who had submitted. So great were their apprehensions of the continuance of that usage that some thousands of them, who had at first quitted the Irish army with the intention of remaining in Ireland, subsequently proceeded to the ports of embarkation for France, and resolved to go thither rather than stay in Ireland, where, contrary to the public faith, as well as law and justice, they were robbed of their substance, and abused in their persons.[1] But no one was prosecuted for having done these things, nor were any efficient means taken to prevent a recurrence of them.

During the war the Acts of James's Parliament which repealed the Acts of Settlement and Explanation had been to some extent acted upon, and some of the original proprietors who had been dispossessed recovered their former estates. This added to the confusion already existing, so

[1] Harris, the biographer of William III., says, "The justices of peace, sheriffs, and other magistrates, presuming on their power in the country, did in an illegal manner dispossess several of their Majesties' subjects, not only of their goods and chattels, but of their lands and tenements, to the great disturbance of the peace of the kingdom, subversion of the law, and reproach of their Majesties' Government."

that the ownership of landed property in Ireland immediately after the settling down of affairs at the end of the war was in a chaotic state. To remedy this condition of things, a Court of Claims was established, various commissions of inquiry were appointed, and writs issued out of the Courts of Chancery and Exchequer. Upon these writs inquisitions were found and returned certifying the attainder of divers persons, and consequently the right and title of the Crown to a large extent of described territory. It was calculated that about four thousand resident, and fifty-seven absentee owners of property had rendered themselves liable to forfeiture of their lands, amounting to over 1,100,000 plantation acres. The Articles of Limerick, especially as they had been ratified with the omitted clause added, made considerable modifications in this estimate, fully one-fourth of the newly confiscated land having been restored to the Irish owners under the articles in question. Many outlawries were also reversed, and sixty-five great Irish proprietors not protected by the Articles of Limerick were restored by special grants from the Crown. The domains of the Duke of York (James II.), the grants to Tyrconnel, and the lands of such others as were not to be pardoned, were granted by letters patent to various persons as rewards for military or civil service during the revolution, or simply to favourites and courtiers. Among the recipients of William's bounty were: Bentinck, afterwards Lord Portland, who received 130,000 acres; Henry de Ruvigny, created Earl of Galway, 40,000; Van Keppel, created Lord Albemarle, 100,000 acres; Lord Sidney, 50,000 acres. Lady Orkney obtained the whole of the great estate of the Duke of York (James II.).

The Articles of Limerick and the proceedings of the Court of Claims gave great dissatisfaction, especially to the many greedy expectants of a share of the prey which they saw rapidly disappearing in gifts to favourites, or in wages to the commissioners who managed the distribution, such as Coningsby, one of the Lords Justices, who rewarded himself generously. The general disappointment of the new colonial interest became very manifest when Lord

Sidney was made viceroy, and writs were issued for the first Parliament of William, which met in 1692. There was no Irish Act disqualifying Catholics from sitting, so some Catholic peers and commoners attended. The English Parliament had, however, passed in the preceding year an Act for abrogating the Oath of Supremacy in Ireland, and appointing other oaths.[1] The fifth section of this Act enacted that no member of either House of the Irish Parliament should sit until he had taken the new oath, and the declaration against Transubstantiation. Although the rights of those protected by the Articles of Limerick were reserved in this Act, so far as the practice of the different professions was concerned, yet it was apparently intended to exclude members of parliament and peers from this protection. At all events, the colonists, who now constituted the Irish House of Commons, read the Act in this sense, and though they threw out a money Bill because it did not originate with themselves, they accepted an English Act passed over their heads, and applied it to exclude the representatives of the native race from Parliament.

Among the measures which had been drafted by the Council and sent to England, was one for the confirmation of the Articles of Limerick. But, instead of passing the Act without discussion, as it was hoped they would have done, the colonists inquired by what means the omitted passage had been retained. They also criticised severely the new Act of Settlement; they even threw out the Government Bill declaring the Acts of James's Parliament void. What they wished was that these Acts should be so cancelled as to preserve the record, which, according to the Government proposal, would be taken off the roll. They also complained that the commissioners appointed by the Crown to receive the forfeited estates had fraudulently diverted them to their own use, and accordingly ordered them to be prosecuted; and they threw out one part of the money Bill as an assertion of their independence, because the Bill had not originated in their House, and then voted that it was the undoubted right of the Irish

[1] 3 Will. & Mary, c. 2, English Statutes.

Commons to prepare their own money Bills. Finally, they threw out the Mutiny Bill because of the admission of Irish officers into the army.

The attitude of the colonists irritated Sidney. He prorogued Parliament, with an angry rebuke to the Commons for trenching on the prerogatives of the Crown by rejecting a money Bill, and pronounced their vote to be contrary to the laws of the constitution. This protest was entered on the journals of the House.

Sidney's attempt to govern Ireland without persecution, especially his invitation to the native Irish to enter the army, produced great commotion among those who constituted the "new colonial interest." Immediately rumours of a French invasion were sedulously set afloat. The "legends of 1641" were revived. The "grievances" of the colonists were taken up in England. A discussion on Ireland took place in the English Parliament, and an address was voted, complaining of the great abuses and mismanagement of Irish affairs, such as the recruiting of the king's troops with "Papists, to the great endangering and discouraging of the good and loyal Protestant subjects in that kingdom"; the granting of protection to the Irish Papists, "whereby Protestants are hindered from their legal remedies, and the course of the law stopped." Objections were raised to the addition[1] made to the Articles of Limerick after the town was surrendered, "to the very great encouragement of the Irish Papists." It was urged that this addition, as well as the articles themselves, should be laid before the House; and also that no grant should be made of the forfeited estates in Ireland until Parliament had had an opportunity of discussing and settling the matter. As William had already disposed of nearly all the forfeited lands, and as he had confirmed the Articles of Limerick, including the omitted paragraph, under letters patent, this attempt of the English Parliament to set aside the Treaty of Limerick was a direct attack upon the king. In this state of affairs, Sidney, who was merely carrying out William's policy of toleration, to which he was himself more

[1] *Ante*, pp. 7, 8.

or less indifferent, became alarmed and embarrassed by the number of native Irish officers who were already in, or ready to join the army; yielding to the popular current of intolerance that had set in in England, he issued, in January 1693, an order for the arrest of all secular and regular priests. In May he signed a warrant for the dismissal of all native officers, and the appointment of colonists in their place.

The question of the disposal of the forfeited estates next led to a long controversy between the king and the English Parliament, which ended in favour of the latter. It will be more convenient, perhaps, to state the outcome of the controversy here, though I shall have to anticipate the events of some years later. No mapped surveys of the estates forfeited in consequence of the Revolution of 1688 were made, although it had hitherto been the practice to make them in former confiscations. Inquisitions, in the absence of such mapped surveys, were always unsatisfactory, inasmuch as many town-lands were often omitted altogether, and the contents of others were not given, the boundaries in many cases being left undefined. Thus the effect of not using mapped surveys was to conceal the extent of the forfeited land, and of the land granted away by letters patent by the king, and this was one of the causes which led to the dispute between the king and the English Parliament. It seems as if it were the design of those charged with the matter to conceal the extent of the lands granted. The case of the Duke of York's great estate is an instance in point. It was represented to William that the estate, which he granted to the Countess of Orkney, was only worth £5000 a year, whereas it consisted of 120,000 acres of the finest land in Munster, worth at the time £26,000 a year. Not only were there no maps of the lands, but there was no inquiry as to persons to be benefited, or the grounds upon which their claims rested; in fact, they rested for the most part upon wholesale bribery. One notorious case deserves to be recorded because of the light it throws upon the objects and uses which the legends or depositions regarding the so-called "Popish massacre of

1641" were put. Mr. James Corry, ancestor of the Earl of Belmore, obtained a good estate and a heavy mortgage in consideration of his house having been burned by the "rebels," and of his having spent £3000 in provisions and other materials for the garrison of Enniskillen. Subsequently it was found that Mr. Corry had done nothing for Enniskillen, and that his house was not burned by the Irish, but by the Protestant soldiers as a punishment for his disloyalty in saying in the town of Enniskillen that he hoped to see all those hanged that took up arms for the Prince of Orange.

The Court of Claims had disposed of 504,593 acres when the subject was taken up, as before mentioned, by the English House of Commons, who appointed a commission of their own body to inquire into the extent, value, and condition of the forfeited lands in Ireland. The report, signed by a majority of the commissioners, was presented to the House of Commons in December 1699. As the result of this, and the discussion that followed, an Act was passed, entitled "An Act for granting an aid to his Majesty by a land tax in England, and by the sale of the forfeited estates in Ireland."[1] This Act might be called a Second Act of Settlement. Under it a board of thirteen was created, in which were vested all the lands passed away by letters patent or otherwise since the accession of William and Mary, together with all other lands to which the Crown might lay claim, as well as all reversionary and other interests arising thereout. With the exception of seven, all the king's grants were resumed; 655 denominations of lands containing 97,853 Irish plantation acres, and 1965 denominations of land without the enumeration of areas, but which Mr. Hardinge[2] estimated at 293,559 acres, were restored to "innocent persons," or altogether 391,412 acres of land restored to their former owners; 3793 denominations of land containing 716,374 acres were sold. This gives the total area of profitable land restored and sold as 1,107,787 plantation acres, or 46,995 acres more than the number reported to the English

[1] 11 & 12 Will. III. cap. 2. [2] On "Surveys in Ireland."

House of Commons by the commissioners in December 1699. The latter estimated the value of the forfeited land at £2,685,130, but the actual result of the sales was only £893,119, and, assuming the relative value of the restored land to be the same, the worth of the restored land would be £487,981, or together, £1,381,100—very little more than half the value assigned to them by the commissioners of 1699.

The business part of the last of the series of confiscations being wound up, it is fitting to give a glance at the state of affairs at the closing of the confiscation ledger. This has been so well done by Lord Clare in his great speech on the Legislative Union of Great Britain and Ireland, that I cannot do better than use it for my present purpose. He first sums up in a few words the action of the British Government down to the Revolution; then giving the number of acres of arable land in the whole country, and the number of acres confiscated in each of the successive confiscations, he says: "So that the whole of your island has been confiscated, with the exception of the estates of five or six families of English blood; . . . and no inconsiderable portion of the island has been confiscated twice, or perhaps thrice, in the course of a century. The situation, therefore, of the Irish nation at the Revolution stands unparalleled in the history of the habitable world. . . . The whole power and property of the country has been conferred by successive monarchs of England upon an English colony composed of three sets of English adventurers, who poured into this country at the termination of three successive rebellions—confiscation is their common title; and from their first settlement they have been hemmed in on every side by the old inhabitants of the island, brooding over their discontent in sullen indignation." To this statement of Lord Clare might be added, that this colony never amounted to one-third of the inhabitants, even after a destructive war and famine, and that their position and power—nay, their very existence—depended on England, without whose aid they would have disappeared after a few years. In fact, the continuous

pressure of England prevented the normal evolution of the country.

The era of confiscations being now closed, and a new cycle of events about to begin, it is not amiss to ask, What was the position of the people? A great part of the energetic, intelligent, brave, and patriotic had perished in the war or died of famine and pestilence, or had become mercenaries without a fatherland in the armies of kings in whose quarrels they had no interest, leaving behind them in Ireland a broken, impoverished, and dispirited people, without money, arms, or leaders—fit materials for a race of helots, were it not that they possessed an unconquerable spirit of resistance to oppression, and a hope in the future which nothing could extinguish. Sir Richard Cox, who described the Irish about this period as they were about to enter the penal probation, was correct in his picture, but, not recognising the two qualities I have named, his prognosis has proved worthless. "The youth and gentry of the Irish," he tells us, "were destroyed in the rebellion or gone to France; those who are left are destitute of horses, arms, money, capacity, and courage. Five out of six of the Irish are insignificant slaves, fit for nothing but to hew wood and draw water." Thanks to the qualities of resistance, endurance, and hope, the Irish have shown a recuperative power and tenacity of national life not surpassed by any other race, save the Israelites.

II

VIOLATION OF THE TREATY OF LIMERICK—INAUGURATION OF REPRESSIVE LEGISLATION

SIDNEY did not succeed in averting the storm by his cowardly reversal of the policy of toleration. His secretary, Mr. Pulteney, was summoned by the English House of Commons, and examined in committee, as was likewise the notorious Dr. Dopping, Bishop of Meath. So determined was the English House of Commons to prevent the Irish from getting any benefit by the Articles of Limerick, that they impeached Sir Charles Porter and Lord Coningsby, the Lords Justices who signed the treaty, in the hope of being able to damage it in some way or other. Coningsby boldly defended himself, but the Commons decided that, though there was no evidence to sustain a charge of treason, the conduct of the Lords Justices was to be censured as illegal and arbitrary. The Commons also recommended that a new beginning should be made; so Lord Sidney was recalled, and the Parliament with which he quarrelled dissolved. Sir Henry Capel, an English member of Parliament, was selected as the new governor, and raised to the peerage. The special mission of the new governor was to conciliate the colonists, and enable them to reduce the Irish people to the condition of serfs. At first two others, Sir Cecil Wyche and Mr. Duncombe, were associated with Capel as Lords Justices, and Porter remained as Chancellor, with the object, no doubt, of keeping up a show of toleration and a tradition of the Articles of Limerick. Wyche and Duncombe were, however, unfit for their places—they showed a disposition to govern impartially, and were accordingly denounced as Tories and Jacobites.

Capel, on the other hand, took every opportunity of curtailing the rights of the Irish, and of infringing the Articles; and so Wyche and Duncombe were got rid of, leaving Capel master of the situation, as Lord Deputy.

The new Government was carried on for two years without a Parliament, but supported by the English House of Commons, whose interference at this period affords the strongest example of the dependence of Ireland upon the Parliament of England from the Revolution until 1782. The Government, becoming at length embarrassed for want of money, thought it expedient to summon a Parliament, Capel believing that he had reconciled Government and the "independent" colonists. Writing to the Duke of Shrewsbury on May 16, 1695, Capel says, "I have endeavoured with all industry to prepare matters in order to a Parliament, and do really find almost a universal disposition in the Protestants to behave themselves dutifully, without insisting on the sole right" of originating money Bills. The consideration for this "dutiful behaviour" was to be such repressive measures against the native Irish as would effectually crush and ruin them.

The bargain was carried out, the Commons voted the money, and in express words consented that the Journals of the Parliament of King James should be cancelled, and the Acts passed in it erased from the roll, "that no memorial might remain among the records of the proceedings of that assembly."[1] For this dutiful behaviour Parliament was rewarded by two Acts; one "An act for the better securing the Government by disarming Papists;"[2] the other, "An Act to restrain foreign education."[3] By the former Act every Papist, even though already holding a licence, was bound, before the first of March next following, to deliver up all arms to a justice of the peace or other head officer; any two justices might search for and seize arms. Persons suspected of concealing arms could be examined on oath; any one not discovering or delivering up arms, or refusing or hindering

[1] 7 & 8 Will. & Mary, c. 3, Irish Statutes.
[2] 7 Will. III. c. 5 (1695). [3] 7 Will. III. c. 4.

search, or refusing to appear on due summons to be examined, was liable to a penalty, if a peer, of £100 for a first offence, *præmunire* for the second; if under the degree of a peer, £30 for first offence, and imprisonment for one year, and thereafter until the fine was paid, *præmunire* for the second offence. Officers covered by the Articles of Limerick might, on taking the oath of allegiance, keep (as provided by the articles in question) a sword, a case of pistols, and a gun for self-defence or fowling. No armourer or gunmaker could take a Popish apprentice under a penalty of £20; the indentures of apprenticeship, bonds, and contracts of such an apprentice, would be void. A Popish apprentice exercising such a trade was liable to a penalty of £20. Such an apprentice was bound to declare on oath, if asked, whether he was a Papist; his refusal to take such an oath was to be held equivalent to a conviction of the apprentice, and also of the master unless he proved that when the apprentice was bound he was known or reported to be a Protestant.

The tenth section declared that Papists should not keep a horse of above five pounds value. Any Protestant discovering on oath to two justices might, with a constable or assistants appointed, search for such horses in daytime, and break open doors in case of opposition, and, on paying five guineas to or for the owner, have the property of such horse as if he had bought it in open market. Any one concealing such horses was liable, on conviction by two witnesses before a justice, to be imprisoned for three months, and to pay a fine equal to three times the value of the horse, to be estimated by the justices at quarter sessions, who had power to keep the owner in prison until the fine was paid.

Any one refusing to take the prescribed oaths[1] was deemed a Papist, and a magistrate who neglected or refused to execute the Act was liable to forfeit £50, and to be deprived of certain civil rights, such as that of acting as a magistrate.

[1] The Oaths of Allegiance and Abjuration and Declaration against Transubstantiation.

The second Act enacted that any one who went himself, or sent any one, beyond the sea to be trained up in Popery, or sent over money, etc., for the maintenance, or as charity for the relief, of a religious house, and was convicted thereof, should be deprived of all civil rights. A justice of the peace, upon information of such an offence, was required to summon and examine the person suspected without oath, and witnesses on oath, and if the offence was probable, he was to bind him or her to appear at next quarter sessions—the onus of rebutting the charge to lie on the defendant. The ninth section further enacted that no Papist should teach a school publicly, or teach in private houses except the children of the family, under a penalty of £20 and three months' imprisonment for each offence.

The tenth section recited the Act 28 Hen. VIII., called "An Act for the English order, habit, and language," which enacted and provided, among other things, that the incumbent of each parish should keep, or cause to be kept, a school to teach English. It also recites another Act made in the twelfth year of Elizabeth, called "An Act for the erection of free schools," by which a public Latin school was to be constantly maintained and kept within each diocese of the kingdom; such schools, according to the Act, "have been generally maintained and kept, but have not had the desired effect by reason of such Irish Popish schools being connived at"; but henceforward all Acts concerning schools were to be strictly observed. These Acts may be considered as inaugurating the penal era.

But the spirit of the Ascendency towards their serfs, and the progress of their moral decay, may be better judged by two other Acts passed in the same year than even the special Popery Acts. The first of these is an Act declaring which days in the year were to be observed as holy days.[1] Hired labourers and servants who refused to work for the usual wages on any day other than one of those appointed by this Act to be kept holy, or upon

[1] 7 Will. III. c. 14 (1695).

extraordinary occasions set apart by the king or chief governor, were fined 2s., which was to go to the poor of the parish. On default—and this was nearly certain—the labourer or servant was to be whipped. As whipping was a frequent punishment, and not deemed in general a pleasant or honourable function of the parish constable, it was found necessary to provide a fine of 20s. in case he refused to inflict the punishment. This great infringement on personal and religious liberty was aimed at the holy days of the national Church. These were, no doubt, too numerous at the time, and interfered with industry. But, however true this may have been, it was tyranny to force any one to work against his conscience.

The other Act was aimed at the suppression of the sports and pastimes of the people on Sundays, and was called "An Act for the better observation of the Lord's Day, commonly called Sunday."[1] The third section enacted that, to prevent breach of the peace by disorderly meetings, hurling, football, cudgels, and other pastimes on Sunday, should be prohibited under a penalty of 12d. or two hours in the stocks. Strictly speaking, these Acts did not form part of the penal code as usually understood, and appear to have been borrowed from English Acts. Their enactment at this period was suggested by the same spirit that dictated the penal Acts properly so called, and this spirit was stamped upon even the most trivial law or regulation.

The "Protestant interest," though united against the "common enemy," as the native Irish were called, were divided among themselves. The position of Dissenters in Ireland was anomalous: the Huguenots and other foreign Protestants who had been invited to settle in Ireland were allowed full liberty of conscience; not so the Irish and British Dissenters, who were subject to the Act of Uniformity. In England the Toleration Act had secured them liberty of worship, but the Sacramental Test shut them out from public employment. In Ireland, on the other hand, there was no Sacramental Test, and the Oaths of Allegi-

[1] 7 Will. III. c. 17 (1695).

ance and Abjuration, which had been substituted for the Oath of Supremacy, did not shut them out from the magistracy, or from holding commissions in the army; they were eligible to sit in Parliament, to be members of municipal corporations—in a word, they possessed all the secular rights of citizenship, yet were obliged to conform to the worship of the Established Church. King William, who was reluctant to persecute the Catholics, was naturally desirous to secure religious equality for the various Dissenters, with whom he was more akin than with the Established Church. When in Ireland, he had shown his interest in the Presbyterians by giving them a grant of £1200 a year out of the customs of Belfast. But he had to reckon with a power whose force he did not understand. As the Protestant minority trampled on the liberty of the Catholic majority, so the Church minority, which formed barely one-third of the Protestants, and one-eleventh of the whole population, trampled on the rights of the majority of their fellow-Protestants.

The Irish Established Church clergy were almost exclusively of the High Church party, extreme believers in the royal prerogative; and their political principles generally belonged to an absolutist type. The great landed proprietors and higher gentry, though still Calvinistic in belief and political principles, were outwardly High Churchmen, in order not to be confounded with the Puritans and Cromwellians, from whom they derived their wealth. King William was desirous of placing all Protestants on an equality so far as he could; he was, at all events, anxious to secure the Nonconformist ministers from the annoyances and petty persecutions of the clergy and minor officials of the Establishment. In 1692 Lord Sidney was directed to submit to Parliament the heads of a Bill identical with the English Toleration Act. The Bill was, however, fiercely opposed; the bishops would not hear of toleration unless accompanied by a Sacramental Test, which would shut out Nonconformists from the army, the navy, the learned professions, and the civil service. Owing to the prorogation, and subsequent dissolution, of the Parliament of 1692,

nothing came of the Toleration Bill. The king directed it to be reintroduced into the Parliament of 1695. The Dissenters, anticipating that another attempt would be made to impose the Test when the Bill should be before Parliament, appealed to the Protestant public in a remonstrance, pointing out that the Test Act in England was designed against Catholics, while in Ireland it would cut off the main branch of the Protestant interest; they therefore preferred to remain as they were, liable to prosecution under the Act of Uniformity—and so they did remain until the exertions of their Catholic fellow-countrymen emancipated them. The Toleration Bill was introduced into the Commons, and Capel did all he could to further it, but it was lost. Lord Drogheda tried to carry the heads of a similar Bill in the House of Lords, but it was defeated by the bishops.

The party struggles and intrigues of Whigs and Tories in England produced a reaction in Ireland. The High Churchmen—bishops and laymen—who had been most desirous of coercing the Catholics, and clamorous against the slightest symptom of leniency towards them, were now disposed to favour them, and treat the Presbyterians harshly. Capel, who had favoured the equality of the Protestant sects, and alliance with them against the "common enemy," died in 1696; Porter was made Lord Justice, but he too died shortly afterwards. De Ruvigny, Earl of Galway, and the Marquis of Winchester were next appointed; and the Chancellorship was given to an English barrister named Methuen, who had been the minister in Portugal.

King William, wearied by his disputes with English parties, seems to have lost all hope of carrying out a policy of toleration towards the Irish, and of effecting a union of the various Protestant sects under a common State Church broad enough to embrace every shade of Dissent. He thought it best to give free scope to the Irish Protestants; so he relinquished the power of reversing Irish outlawries, and in the heads of the Bill for this purpose which was sent over he allowed a clause to be inserted

by which the estates of persons who had been killed in "rebellion," or had died in foreign service, were to be included in the forfeitures. He went even much further, for he was willing to give up the omitted clause in the Articles of Limerick, if Parliament would confirm the remainder. When Parliament opened, "An act to confirm the Articles of Limerick" was prepared; it should rather have been called "An Act for the frustration of the Articles of Limerick," for, besides leaving out, with the sanction of William himself, the omitted clause in the second article, it omitted the first clause, and curtailed the others to such an extent as practically to annul the treaty. The third reading of the Bill in the Lords was carried by a majority of only one. While the Bill was in the Commons, a petition from the representatives of the native Irish, praying to be heard by counsel at the bar of the House before the measure became law, was presented to the House of Commons; the petition was unanimously rejected. About the same period "a petition of one Edward Sprag and others, in behalf of themselves and other Protestant porters in and about the city of Dublin, complaining that one Darby Ryan, a Papist, had employed porters of his own persuasion, having been received and read, was referred to the committee of grievances, that they should report thereon to the House."[1]

Seven bishops and seven lay peers made a protest against the Bill for the confirmation of the Articles of Limerick, which was entered on the Journals of the House. According to this protest, the articles were not fully confirmed—"The Act as it passed left the Catholics in a worse condition than they were in before; . . . the additional clause was most material, and several persons who had been adjudged within the articles would now be excluded from the benefit of them."

A new Outlawries Bill—the first one having been withdrawn in consequence of the opposition of the Lords—came back from England. It was intended to prevent any further reversal of outlawries and close the matter once

[1] Commons Journals, vol. ii. p. 679.

for all. It exempted by name a number of peers and gentlemen whom the lords wished to favour, and so secure its passing. The preamble is a masterpiece, like those of most of the colonial Bills. All outlawries and attainders on account of the late war not already reversed, or affecting persons comprised within the Articles of Limerick, or persons exempted by name in the statute, were declared to stand good for ever, any pardon from the king or his heirs notwithstanding. Papists who had died in "rebellion" before the peace were adjudged traitors *ipso facto*, and their estates passed from their families.[1] The custom of calling every war in which the Irish were belligerents "a rebellion" was a most convenient way of securing a verdict without argument and by anticipation. It led, however, to some curious and puzzling results.

The Ascendency party were not satisfied with the partial repudiation of the Articles of Limerick which they had effected in the so-called Act for their confirmation. The majority of the Protestants were of Dr. Dopping's opinion, that no terms should be kept with the Irish; but they lacked the moral courage to act upon it, so they determined to proceed piecemeal, and thus preserve their "honour." By the first Article of Limerick, it was provided that the Irish should enjoy such privileges in the exercise of their religion as were consistent with the laws of Ireland, or as they did enjoy in the reign of King Charles II. Nevertheless an Act was passed for banishing all Papists exercising any ecclesiastical jurisdiction, and all regulars of the Popish clergy out of Ireland. The object of this Act was to keep out the religious orders, and sanction only the secular priests, who in time were expected to die out; as no bishops were to be allowed to remain in the country or come into it, no means of keeping up the succession would exist. This method of exclusion proved successful in England in a comparatively short time; in Wales it proved successful, though only after a considerable time; in Ireland the circumstances were wholly unlike what they were in England or Wales, and it did not and could not possibly succeed.

[1] 9 Will. III. c. 25, Irish Statutes.

In the same session the Ascendency took another step in the elaboration of a code of laws for the destruction of religious freedom, and the debasement and ruin of the Irish people, by the passing of "An Act to prevent Protestants intermarrying with Papists." After reciting the mischiefs resulting from Protestant women marrying Papists, or Protestant gentlemen marrying Popish wives, it enacted that any Protestant woman, being heir apparent to or possessed of any estate or interest in land, or in possession of £500 of personal property, who married without a certificate of the minister, bishop, and a neighbouring justice (or any two of them) to the effect that her husband was a known Protestant, should be deemed dead in law, and the property went to the next of Protestant kin. Such Protestant woman and her husband were incapable of being heir, executor, administrator, or guardian to any Protestant. The penalty for joining a Protestant woman in marriage with a Papist without the required certificate was a year's imprisonment, and a fine of £20 to the Crown and the prosecutor. A Protestant marrying a Popish wife without a certificate was deemed a Papist or Popish recusant, and lost his civil rights. Soldiers marrying Papists were thereby withdrawn from the king's service; and any one marrying a soldier without a certificate was liable to a fine of £20.

The penal code was enriched the following year by an Act to prevent Papists being solicitors. Popish solicitors were especially obnoxious to the Protestant interest, as they were supposed to be always engaged in evading the law, and securing the landed property of Catholics, and getting hold of that of Protestants. They were, in the language of the Act, "common disturbers." No one could act as solicitor without taking the Oath of Allegiance, the Oath of Abjuration, and making the Declaration against Transubstantiation, under a penalty of £100 to the prosecutor, and the loss of certain civil rights. They were also to educate their children as Protestants. Any one who practised as a solicitor under Charles II., or who was covered by the Articles of Limerick, was exempt.

The plot to murder William, or more probably only to

seize his person, very naturally aroused great indignation in England. In addition to passing an Act which, in the event of a similar conspiracy succeeding, would defeat the object of it, an association originating in the English House of Commons was formed. The roll of association was very largely signed throughout England and Scotland. The members of this association bound themselves to stand by each other "in defence of the King and English liberty against King James and his adherents." A bill for the same purpose, probably identical with the English Act, was sent over to Ireland, and a copy of the association bond. With the purpose of stimulating the zeal and exciting the fanaticism of the Protestant interest, a common device was resorted to of putting forward some plot or conspiracy. On this occasion it was a paper containing "a project for the extirpation of all the Protestants in Ireland," asserted to be in the handwriting of "an officer of King James's army." It served its intended purpose. The Commons passed a series of resolutions, in which it was asserted that ever since the Reformation the Papists had endeavoured to subvert the Protestant religion by conspiracies, massacres, and rebellions; that they still had the same intention, and desired to separate Ireland from England. Then came the real object—the necessity of more stringent laws to make the Protestant interest secure by force where reason and natural laws had failed. Catholics should be deprived of the right of voting at elections for members of Parliament; the oaths prescribed for all holding public offices should be more strictly exacted; and, lastly, a law should be passed making it high treason to deny William III. was lawful king.

The resolutions were adopted by acclamation in the Commons, and the Bill sent from England was passed by a majority of twenty-four, though many spoke against the clause that required all persons, under a penalty of a *præmunire*, to renounce the superiority of any foreign power in ecclesiastical or spiritual matters within the realm. In the face of the fact that the great majority of the inhabitants of the country were Catholics who believed in the spiritual

supremacy of the pope, the Lords, while admitting that the Catholics would, if they could, overthrow Protestantism, and that severer laws were needed, deemed it unfair and illogical to exact the Abjuration Oath from persons who were at the same time acknowledged to be Catholics, and threw out the Bill. It seems that this conduct was deemed disloyal, and some think it was the cause of the adoption of the measures for the suppression of the Irish woollen trade,[1] which were passed immediately afterwards.

The Irish Council were directed to prepare a similar Bill for the next session. Some members thought that some respect should still, if only for form's sake, be paid to the Articles of Limerick, and that such Catholics as had been covered by them should be exempted from the Abjuration Oath, and a clause was added to this effect in the heads of the Bill sent to England. The Lords Justices' correspondence with the Duke of Shrewsbury on the subject is instructive. They considered that the arguments in favour of those who came under the Articles of Limerick, if valid, applied equally to all Catholics alike: if any Catholic could take conscientiously the Abjuration Oath, all ought to be required to take it; if not, none. The Lords Justices, however, had no scruples on the theological question, and thought that any one who intended to be a true subject of the king might take it. Their Excellencies, however, having decided the theological question, left the solution of the problem to the Council in England. The latter struck out the clause, and returned the Bill in the form in which the Lords had rejected it. In the meantime, however, the Commons had altered their opinions on the subject, and threw out the Bill by a majority of ten.

The anger and disgust of the English politicians, and, indeed, of the public, were intensified by another event which was but the beginning of a new development. The colony, fungus-like, had spread its fibres through the country, concealing the true nation and assuming its appearance. The great majority of the inhabitants had no legal existence, and, like the helots and slaves in ancient and

[1] Froude, *op. cit.*, vol. i. p. 261.

modern states, did not count as part of the commonwealth. The colonists had all the land, all the places of honour and emolument, and practically unrestricted liberty to do with their helots whatever they pleased; yet they became dissatisfied with their mother country, because she insisted upon dictating to their Parliament. Though willing to be the gaolers, as Curran said, of their fellow-countrymen, they liked to believe themselves their masters. William Molyneux, the member for Dublin, in an ably written work, defended the independence of the Irish Parliament from any control of the English Parliament; he contended that the latter had no power to bind the former, nor the former any obligation to enact the Acts of the latter, unless it so pleased.

The struggles of political factions, and the reaction consequent on the plot against King William, led the triumphant party in the English Parliament to advance another step in the anti-Irish policy. By the Act 11 Will. III. c. 4, any Catholic bishop or priest convicted of saying mass, teaching or keeping a school, or exercising any other religious function, was guilty of *præmunire* and therefore liable to perpetual imprisonment. One hundred pounds reward was offered for the apprehension of persons guilty of such acts. Again, any person professing, or educated in, the Popish religion who had not, within six months after attaining the age of eighteen, taken the Oaths of Allegiance and Abjuration and made the Declaration against Transubstantiation, could not inherit real estate in England. Again, no Papist was to be allowed to purchase land; send his children to be educated abroad; or refuse a proper maintenance to any of his children who should become Protestant, otherwise the Court of Chancery might intervene. The passing of this Act and the Resumption Act proved that William had been at length obliged to capitulate to his Parliament, and yield up his principles of religious toleration.

III

PERIOD OF THE PENAL LAWS

On March 8, 1702, King William died. His rival, James, had died the previous year; and the son of the latter, known as the Pretender, was recognised by France as King of England. To all these events the Irish were profoundly indifferent. They had seen how William had been unable to fulfil his plighted word, or redeem his honour. With the exception of the Irish brigade in France, who might perchance obtain some advantage from a restoration of the Stuarts—though, had such an event occurred, it is more than probable they would have been as badly treated as the Irish had been at the restoration of Charles II.—no one expected any good to come from such an event. The succession of the House of Hanover promised them nothing. The Jacobite poetry of Scotland and the corresponding popular poetry of Ireland offer a curious contrast—the former is dynastic and personal, the latter rarely either; it is chiefly allegorical of Ireland, and intensely national. Whenever it is dynastic or personal, it is probably of Anglo-Irish or Protestant-Jacobite origin. This shows, I think, that the Irish people cared nothing for the Stuarts; rather it is certain that they despised James II., and knew nothing of his son and grandson, and might have been easily reconciled with the English after Limerick if they had been justly treated.

There was much discontent among the colonists at the accession of Anne, as is shown by much of the pamphlet literature at the time. To calm the agitation and divert the attention of the dissatisfied colonists from the relation of the two kingdoms to one another to the "common enemy," a Bill to prevent the further growth of Popery,

similar to the one in operation in England, was recommended by the English Government to the Irish Council. Rochester, who was opposed to the war, retired from the government of Ireland, and was succeeded by Ormond, whose rank and great prestige were expected to calm opposition. His name was ominous of evil to Ireland; and he did not belie the reputation of his family, for his mission was to complete and carry into effect the utter ruin and degradation of the Irish.

The work of the session was carefully considered by the Council, much of it being intended to arrest the development of the germs of nationalism among the colonists. The first measure proposed was for the extension of the Act 9 Will. III. c. 1 (1697), for banishing priests and preventing them from coming from abroad.[1] This Act did not include secular priests, who were to be allowed to officiate and die out from want of successors, all bishops being excluded. Experience showed, however, according to Ormond, that secular priests, being educated among the queen's enemies, imbibed their sentiments, and so at their return "did become incendiaries to rebellion;" hence it was necessary to prevent their return. The first clause enacted that every ecclesiastic coming into the kingdom was liable to the penalties of 9 Will. III. c. 1; thus including secular as well as regular priests, as also persons harbouring, relieving, or concealing ecclesiastics. The duration of this Act was in the first instance limited to a period of fourteen years, but its provisions were subsequently made perpetual. As a pendent to the Act for preventing Popish priests from coming into the kingdom, a Bill was prepared for registering the Popish clergy.[2] By this Bill all secular priests in Ireland were required to go before a magistrate, register their names, and take out a licence. The register was to include abode, age, parish, time and place of receiving orders, and the name of the prelate from whom the orders were received. The priest registering was required to give two sureties to be of good behaviour, and not to remove to another part of the kingdom. The penalty was committal

[1] 8 Anne, c. 3. [2] 2 Anne, c. 7.

to gaol pending transportation, and the offender was liable to the same penalties as bishops and Popish regulars. Similar penalties were imposed in case of return. The Bill also provided an annual stipend of £20 (afterwards increased to £30) for converted priests, to be levied off the county in the manner of grand jury cess. Parish priests were not allowed to keep a curate or assistant. In order to ensure the enforcement of the Act, it was to be given in charge at every assizes, and the list publicly read.

But the chief measure of the session was the Act to prevent the growth of Popery. The suggestion of the measure and its principle were the work of the English Council. In the preamble, as it was laid before the House of Commons on November 19, 1703, one of the causes put forward as justifying the necessity for fresh legislation was the leniency and moderation which had hitherto been shown in carrying out the repressive laws; another was that emissaries of the Church of Rome were perverting Protestants from their religion. Accordingly, following the precedent of the English Act, seducing a Protestant from his faith was made a new crime, both in the seducer and the seduced. The Foreign Education Act was extended and made more stringent. Catholic parents were compelled to make competent provision for the maintenance of their Protestant children; and, in order that the land should pass away wholly from Catholics, no land which had been at any time in, or should hereafter come into, the possession of a Protestant was allowed to come into the possession of a Papist. The committee proposed that a Catholic should not be in a position to recover such land under any circumstances, though they proposed to leave Catholics free to inherit from one another. In the case, however, of a Catholic having real or personal property, and all his children being Catholic, the estate was to be gavelled—that is, divided among the children, share and share alike; but should the eldest son conform within twelve months after the death of his father, or, if under age, twelve months after coming of age, he might take the estate as heir-at-law. The committee also recommended

that the dispensing power given to the Lord-Lieutenant in the disarming Act should be withdrawn. The Articles of Galway and Limerick, which entitled Catholics to hold and acquire property in those towns, and abide therein, were wholly altered. All Catholics then living in the towns named might continue to reside there on giving security for their good behaviour; but for the future no Catholic should acquire property in Limerick or Galway, or reside there. There was also a clause disabling Catholics from voting at elections.

These were the substantial provisions of the Bill as it was transmitted to England. In the form in which it came back, some changes were made; but, except in two ways, the chief features of the Bill were unaltered. The changes so far were not favourable to the Catholics, while they put the Protestant Dissenters in a worse position than before. The preamble was altered so as not to imply any leniency on the part of the administration in the past. The penalties of the Foreign Education Act were extended to all Catholics who sent their children abroad without a licence. The change affecting Dissenters only was two-fold: first, that only Protestants belonging to the Established Church could claim a benefit under the Act, so that if an estate should lapse to a Presbyterian, as next of kin, he could not enjoy it, and it would pass to the next heir, no matter how remote, who happened to be a member of the Established Church; and, secondly, the Test Act was imported into the Bill. It followed that no Dissenter could hold any office or place under the Crown above the rank of a constable, unless he took the Sacrament of the Lord's Supper according to the rite of the Established Church. Thus at one blow the Independents, Presbyterians, Huguenots, Quakers, and other Dissenters were excluded from the army, the militia, the civil service, the municipal corporations, and the magistracy; there being no Toleration Act in Ireland, the Dissenters were thus reduced very nearly to the level of the Papists.

Before the Bill passed in the Irish Parliament, the Catholics prayed to be heard by counsel in opposition to it.

The petition was granted, and three gentlemen pleaded at the bar of the House—Sir Theobald Butler, who had been solicitor-general to James II. in Tyrconnel's administration, Counsellor Malone, and Sir Stephen Rice, who had been chief baron under the same administration. Their case rested, of course, mainly on the Articles of Limerick—the lawyers being themselves protected persons—and was ably argued, especially by Sir Theobald Butler. The answer on the part of the Commons rested mainly on the familiar argument, "That any rights which the Papists pretended to be taken from them by the Bill were in their own power to remedy by conforming, as in prudence they ought to do, and that they ought not to blame any but themselves." It was further urged that the passing of this Bill would not be a breach of the Treaty of Limerick, because the persons therein comprised were only to be put into the same state as they were in, in the reign of Charles II., and because in that reign there was no law in force which hindered the passing of any other law thought needful for the safety of the Government. Lastly, it was argued that the House was of opinion that the passing of this Bill was needful at present for the security of the kingdom, and that there was not anything in the Articles of Limerick to prevent its passing.

The same counsel pleaded before the House of Lords also, and there the right of a legislature to make any laws it thinks necessary for the safety of the State, and the contention that no treaty or previous obligations should tie up the hands of legislators from providing for the public safety, was fully admitted by Sir Stephen Rice, who considered that a legislature had a right to enact any law that may be absolutely needful for the safety and advantage of the public; such a law could not be a breach either of these or any other like articles. But then, such laws ought to be general, and should not single out or affect any one particular part or party of the people, who gave no provocation to any such law, and whose conduct stood hitherto unimpeachable ever since the ratification of the aforesaid Articles of Limerick. To make any law that

shall single out any particular part of the people from the rest, and take from them what by right of birth, and all the preceding laws of the land, had been conformed to and entailed upon them, will be an apparent violation of the original institution of all right, and an ill precedent to any that hereafter might dislike either the present or any other settlement which it should be in their power to alter, the consequences of which it is hard to imagine.

The Lord Chancellor summed up the arguments on both sides; but, as Southwell's letter, giving an account of the discussion to Nottingham, informs us, the arguments of the Catholic advocates produced, as might be expected, no result. "The arguments," he wrote, "were considered and answered, and all the clauses against the Papists passed unanimously till we came to the Sacramental Test, on which we had a two hours' debate. It was objected that we were creating a new distinction of Church and Dissent, when there ought to be only that of Protestant and Papist; that it weakened our Protestant interest when we were provoking the Papists afresh." He added, "That in cases of public danger all people were obliged, in duty and interest, to oppose the common enemy; that, if ever we hoped a union with England, it could not be expected they would ever do it, but upon the same terms they stand upon; and that in England the Dissenters have both writ for and preached conformity when it was for their interest and advantage."[1] The Bill was carried in the House of Commons by a very large majority, the only opposition being on the Sacramental Test. Not a single member of either House said a word in opposition to the clauses against the Catholics. The Act for the registration of priests was passed at the same time, but the Oath of Abjuration was not as yet insisted upon; but, as Mr. Froude says, "Had the execution of the law been equal to its verbal severity, it would still have sufficed to extinguish Irish Popery within the compass of a generation."[2] But under the circumstances

[1] Froude, *op. cit.*, vol. i. pp. 315, 316.
[2] Ibid., p. 317.

it could not be enforced; nor did the colonists want it enforced. If the whole of the Catholics had become Protestant, the Ascendency would lose their advantages. One of the great central facts of Irish history is that the colonists never wished the Catholics to become Protestant. So in earlier times they did not wish them to become English—they did all they could to prevent it. The spoils in both cases would have been less.

With the view of stimulating magistrates to enforce this Act, the Irish House of Commons passed a resolution declaring "that all magistrates and other persons whatsoever who neglected or omitted to put it in due execution, were betrayers of the liberties of the kingdom."[1] A further resolution was passed declaring "that prosecuting and informing against Papists was an honourable service to the Government." The trade of informer, being now an "honourable" one, became also a lucrative one, and the business grew very active.

In the year 1707, the union of Scotland with England was carried by a majority of one hundred and ten. The Irish House of Lords again addressed the queen in favour of a similar union between Ireland and England; but the Irish House of Commons did not favour the project—indeed, it had grown in disfavour—and the English ministry were, if not indifferent to it, afraid to rouse the jealousy of the English trading classes.

The union created great discontent in Scotland among all classes, but especially among the Presbyterians of the south-west of Scotland, where a widespread conspiracy was discovered in the following year. It was assumed that a similar conspiracy must have existed in Ireland, and accordingly forty-one Catholic noblemen and gentlemen were arrested and imprisoned for some time in Dublin Castle, without any charge being preferred against them. The same panic which led the Government to arrest the harmless peers and gentlemen, whose only desire was to be forgotten, made them see treasonable meetings in favour of the Pretender, in pilgrimages to holy wells, hurling,

[1] Commons Journals, March 17, 1704.

mummers, and all gatherings of the peasantry. Once for all, it should be remembered that Jacobitism was a Scotch and English sect, to which the Irish never really belonged.

The alarm about the Pretender was the immediate cause of the forging of another link in the penal chain, namely, the enacting of a law in 1708 to prevent Catholics from acting as grand jurors, unless it appeared that a sufficient number of Protestants were not forthcoming; and also to provide that in all trials of issues (*i.e.* by petty juries) on any presentment, indictment, information, or action, on any statute, for any offence committed by Papists in breach of such laws, the plaintiff or prosecutor might challenge any Papist returned as juror, and assign as a cause that he was a Papist.

The plan of the descent of the Pretender upon Scotland is said to have included a landing of French troops at Galway, in case of any partial success in Scotland; the Government, we are told, had information of the intended plan. In the event of some success in Scotland, it is possible that a landing might have taken place in Galway or some other place, and it may be admitted that, in conversation among the Jacobites in France, the probability of some such landing may have been mentioned; but there is no evidence to show that the Irish abroad or at home intended to take part in the plans of the Pretender.

The depressed and declining state of trade, and the emigration of the most energetic and independent of the artisans, many, indeed most, of whom were at this time Dissenters, coupled with the rumours of the threatened invasion of Scotland by the Pretender, convinced the Government that the imposition of the Sacramental Test was a blunder. The Earl of Pembroke was accordingly sent over in the summer of 1707, in place of Ormond, to endeavour to get rid of the Test; with him came as secretary Mr. George Doddington, whose correspondence throws much light on the state of things at the time. Pembroke's speech at the opening of Parliament dwelt chiefly on the danger from the overwhelming numbers of

the Catholics, and on the necessity of uniting all Protestants against them, and also of finding some additional means of securing the Protestant interest and introducing harmony and unanimity amongst all sections of Protestants. The supplies were freely voted, but the question of the Test, for which Pembroke had been specially sent, made no progress. Doddington considered the removal of the Test impracticable, but thought no difficulty would arise from another turn of the Popery screw. An amendment of the Popery Act was accordingly proposed and carried through the House of Commons with much enthusiasm. The plea alleged for the necessity of fresh legislation was the skill with which the attorneys had succeeded in evading the Act of 1704, and the necessity for improving the machinery of the former Act. In the House of Lords some modifications were made in the Bill which did not commend themselves to the Commons. These modifications were accepted in England; but, as amended, the Bill was rejected by the Irish colonists as not being stringent enough.

The colonists[1] were dissatisfied with Pembroke; they desired a more extreme Ascendency man. So in May 1709 he was replaced by Thomas, Earl of Wharton—one of the most profligate politicians ever engaged in the government of Ireland. Wharton promptly proceeded to carry out the objects for which he was sent to Ireland, namely, to pass a second Popery Act, to repeal the Test Act, and unite the colonists against the "common enemy," the native Irish. In his address to Parliament he dwelt on the inequality in number between the Protestants and Papists of Ireland, and suggested that further enactments were necessary to confirm the law for preventing the growth of Popery, and establish a good understanding among all denominations of Protestants. The Commons responded to this invitation to increase the severity of the

1 A Tory pamphlet of the period of the Duke of Shrewsbury's viceroyalty defines this much-used term thus: "They know very well that *Atheists*, *Deists*, *Socinians*, and *Sectarists* of all sorts go under the name of *Protestants*, and those with the truly *orthodox* of the *Established Church* make up the '*Protestant interest*' of that kingdom" ("A Long History of a Certain Session of a Certain Parliament, in a Certain Kingdom," 1714, p. 15).

penal code. A Bill to explain and amend an Act intituled "An Act to prevent the further growth of Popery" was passed without delay. This Act was heralded by a proclamation ordering all registered priests to take the Abjuration Oath before March 25, 1710, under pain of *præmunire*. The penal code was now practically complete, and was, as Edmund Burke described it, "A machine of wise and elaborate contrivance, and as well fitted for the oppression, impoverishment, and degradation of a people and the debasement in them of human nature itself, as ever proceeded from the perverted ingenuity of man."[1]

While the Irish Catholics as the "common enemy" were the chief objects of penal legislation, the Dissenters, who constituted perhaps two-thirds of the whole colonial interest, suffered from many disabilities inflicted upon them by their brethren, the dominant minority of the Established Church. The Dissenters had acted the part of the "mean whites" in America—they helped to oppress the Catholic slaves and support a system of government of which the Established Church planters alone got the profit. When the Popery Bill was before the House of Commons, the ten Presbyterian members all voted for the sections against the growth of Popery, and the Dissenters generally were clamorous for the stringent application of the penal code. They were rewarded for this zeal against the "common enemy" by the insertion in the Bill, when before the English Privy Council, of a section imposing the Sacramental Test upon themselves. The Irish Parliament could not alter a Bill sent from England; they could only reject it as a whole. Bishop Burnet tells us that the section referred to was inserted for the purpose of wrecking the Bill. This plea has been often used whenever it was desired to shift the responsibility for some questionable Acts from English ministers to the Irish Parliament. The "English interest" knew they had nothing to fear from the opposition of the insignificant minority of Dissenters in the Irish House of Commons, while, on the other hand, the House of Lords would not

[1] Letter to Sir Hercules Langrishe.

reject a Bill which gave them the Sacramental Test. They reasoned rightly; the Dissenters made a feeble resistance in the House of Commons, and so the "mean whites" were now in the grip of the bishops, who put the laws in force against them. They very soon cleared out the Presbyterian magistrates of Ulster, and put in their place "men of little estate, youths, new-comers, and clergymen," the sole qualification being regular attendance at church. Out of twelve Aldermen in Derry, ten were Nonconformists, and these were deprived of their offices. The entire corporation of Belfast were superseded. The most objectionable rite of the Presbyterians in the eyes of the bishops was their marriage, which they regarded simply as a licence to sin. It was even announced in some dioceses that the children of all Protestants not married in the parish church would be regarded as bastards. Nay, even some bishops are said to have gone so far as to prosecute in their courts many persons of reputation as fornicators for cohabiting with their own wives.[1]

Wharton's Government connived at the non-enforcement of the laws against the Presbyterians. But they soon realised that connivance was not liberty, for, on venturing in a missionary spirit to occupy the field left by Church pluralists, they roused the anger of the bishops, especially at Drogheda, where they addressed a congregation composed of "base persons, coopers, shoemakers, and tailors," who were threatened with the stocks; the preachers were arrested and bound over by the mayor to take their trial at the assizes. The Lord-Lieutenant ordered a *nolle prosequi* to be entered. Jonathan Swift entered the field against the Dissenters, and argued that they were the only real political danger to which Ireland was exposed. The Catholics he considered "harmless as women and children, powerless to hurt, and doomed to certain disappearance in one or two generations." The House of Lords complained to the queen that the Presbyterians were the cause of all the disorders in Ireland, and that Lord Wharton was standing by them. The

[1] Froude, *op. cit.*, vol. i. p. 319.

Presbyterian synod, in their defence, charged the bishops with "having placed an odious mark of infamy upon at least half the Protestants of Ireland." The complaint of the Lords coincided with the ministerial crisis by which the ministry of Godolphin and Sunderland fell and Bolingbroke and the Tories came in, so Wharton was recalled. The Tories having for the time a majority in the English House of Commons, an address of both Houses to the queen was voted on November 7, 1711, complaining of Wharton in reference to the Drogheda affair, and also charging the Presbyterians with "tyranny in threatening and ruining members who left them; in denying them the common offices of Christianity; in printing and publishing that the Sacramental Test is only an engine to advance State faction, and to debase religion to serve mean and unworthy purposes." They prayed her Majesty to withhold the Regium Donum.[1]

The last days of the Parliament of the penal laws were spent in a characteristic quarrel between the Lords and Commons, arising out of a vote of £5000 to Trinity College, Dublin, for building a library as a reward for the zeal of the Provost and Fellows in having expelled a Fellow named Forbes because he "aspersed the memory of King William." In this quarrel the Presbyterians got some hard knocks, and the miserable alms of £1200, called the Regium Donum, was withdrawn in compliance with the wish of the House of Lords.

The native Irish were assumed to be so completely outside the constitution at this time that there was no need even to abuse them. So anxious were the colonists to shut out the Irish people from the faint reflection of freedom which a knowledge of even the debates of Parliament would give them, that an order of the House of Commons was made in 1713, "that the sergeant-at-arms should take into custody all Papists that were in, or should presume to come into, the galleries."[2]

A new feud had arisen before the end of the session,

[1] A grant to the Presbyterians, as to which see Part III., *post*.

[2] Commons Journals, vol. iii.

between the Government of the Duke of Shrewsbury and the corporation of Dublin, by which the city was left without municipal government for nearly two years, and the courts of law brought to a standstill. As a sequel to this dispute the Commons addressed the queen to remove Sir Constantine Phipps, an English Jacobite, who was Lord Chancellor, and whom they accused of favouring Popery—that is, of not deciding causes as they wished—and threatened to impeach him.[1]

The House of Commons passed the money Bill, but appended to it a list of grievances which was in reality an indictment of the Government. The Lord-Lieutenant refused to accept the supplies under such conditions. As no arrangement could be made between the parties, the Government dispensed with the supplies, and the Parliament was prorogued until the autumn, never to meet again. The Bill to prevent the growth of schism was then before the English Parliament. Bolingbroke himself moved in the House of Lords that the provisions of the Bill should be extended to Ireland. The Bill passed, but on the day the Act was to come into operation Queen Anne died, and with her the Parliament of the penal laws.

George I. came peaceably to the throne, and the Parliament which he summoned continued the policy of its predecessors. Ireland was so far out of English politics that the dominance of Whigs or Tories in the larger island made little difference to the wretchedness of the smaller, or to the oppression inflicted on Catholics and Nonconformists. Scarcely any considerable event[2] marks the period which elapsed between the death of Anne and the beginning of the rule of Primate Boulter, to be described in the next chapter.

[1] "A Long History," etc.

[2] The Irish took no part in the Jacobite movements of 1715.

IV

PERIOD OF DESOLATION; GOVERNMENT OF IRELAND BY AN ENGLISH ADMINISTRATION AND A PARLIAMENT AND MAGISTRACY OF COLONIAL LANDLORDS

THE penal code was in full force at the opening of the Hanoverian period. At the close of each session of Parliament a resolution was passed declaring "That it is the indispensable duty of all magistrates and officers to put the laws made to prevent the growth of Popery in Ireland in due execution." In his speech proroguing Parliament in 1721, the Lord-Lieutenant, the Duke of Grafton, recommended both Houses to keep a watchful eye on the Papists, as he had reason to believe that the number of Popish priests was daily increasing; and, when Parliament reassembled in 1723, he recommended fresh legislation against them.

On this occasion a series of resolutions was reported by the Commons, chiefly relating to priests, but also including the status of Nonconformists. When lawyers began to conform in considerable numbers, consternation seized the Protestant interest. Primate Boulter expressed his alarm in several letters, and exaggerated the number of conformists. A Bill was prepared to enact that a Catholic who conformed to the Established Church could not hold any office or practise as a solicitor or attorney until seven years had elapsed, and then only on producing a certificate of having taken the Sacrament thrice in each year of his probationership, and on having duly enrolled his certificate in the proper office. This Bill appears to have been based on an abortive Bill introduced in the Parliament of 1719, which included a clause for the branding with a hot iron on the face of all unregistered priests and friars arrested.

For this punishment some ingenious member of the Privy Council substituted castration. The clause was struck out in England by Lord Stanhope, owing, it is said, to the remonstrance of the French minister, Cardinal Fleury, though it is asserted by some that such interference was not necessary.

The heads of the Bill of 1723 had been adopted, and were presented in state by the Speaker to the viceroy, with a special request that he would recommend them to the English ministers. The Duke of Grafton replied that, as he had much at heart a matter which he had himself advised, the Commons might depend on his carrying out their wishes. The Bill was not returned. At the close of the session the Duke of Grafton consoled Parliament for the loss of the Bill, attributing that catastrophe to the lateness of the time at which it was introduced; and he encouraged them to stem the growing evil by a vigorous execution of the laws, and especially by putting into the commission of the peace only those who had distinguished themselves by their steady adherence to the Protestant interest. Primate Boulter did not, however, lose sight of his project of driving Papists out of the profession of the law, and accordingly succeeded later in passing into law a similar Bill, with the term of probation reduced, however, to five years.

In the early part of this period the Lord-Lieutenant resided chiefly in England, visiting Ireland every other year while Parliament was sitting, the government meantime being carried on by Lords Justices, one of whom was usually the special confidant or agent of the English ministry, and who in turn managed affairs through some of the great magnates who owned the greater part of the Parliamentary representation, and who were known as "undertakers." Here it is well to remind the reader that the Parliamentary representation was a kind of property, so that Parliament did not even represent the colonial interest, but only a small minority of the minority of the people of Ireland. The chief business of the managers of the "king's business" was comprised under four heads:

(1) to pass the money Bill—that is, to get supply passed; (2) to prevent the colony from indulging in any aspiration of independence of England; (3) to prevent any interference with English trade or other interests; and (4) to prevent the further growth of Popery.

One of the most successful of the managers of the undertakers was Hugh Boulter, an English bishop who, in 1724, was translated from Bristol to the primatial see of Armagh. For the eighteen years until his death in 1742, during which he was thirteen times Lord Justice, he was practically the ruler of Ireland and the dispenser of government patronage. He never lost sight of the four main duties of an English ruler in Ireland which are enumerated above. The Irish Protestants thought to monopolise all power, whereas they had only made themselves stewards for the English Government. In one of the earliest of Primate Boulter's letters, he lays bare one of the chief maxims of British rule in Ireland, and one, too, which he carefully followed—keep the different sections and parties of the nation asunder.[1] Throughout the whole of his correspondence he never loses sight of the other chief maxim of English government in Ireland—fill all the principal places with Englishmen. Writing to Lord Townshend, he says, "The English here think the only way to keep things quiet here and make them easy to the ministry, is by filling the great places with natives of England."[2]

The Church party, who formed only about one-third of the Protestants of the kingdom, ferociously persecuted the Catholics all through the reign of George I. in every way the code permitted, and indulged in the sport of priest-hunting, in which they employed as priest-catchers the

[1] See his letters to the Duke of Newcastle, January 19, 1724 [1725], Letters, vol. i. p. 8. Primate Boulter carried on a large correspondence. A number of his letters were collected by Mr. Ambrose Phillips, who had been his secretary, and deposited in the library of Christ Church, Oxford. These have been published in two volumes. But they were carefully sifted, those relating to the most important events not being amongst them. A complete collection is a *desideratum*.

[2] April 25, 1725, vol. i. p. 21. Pages might be filled with extracts from the primate's letters inculcating this maxim.

dregs of another persecuted race, the Jews, especially Portuguese Jews, whose sufferings and degradation had made them fit instruments of persecution. No true idea can be formed of the kind of persecution endured by the Irish people in those sad times from the general state of things in Dublin and other large towns, bad as it occasionally was there; it was the helpless peasants in remote districts who alone could tell what the lawless petty oligarchy of middlemen, agents, bailiffs, and yeomen were capable of doing with perfect impunity. The zeal of the Church party against the common enemy did not make them more tolerant of the Nonconformist constituent of the Protestant interest, although it formed nearly two-thirds of the whole; notwithstanding, too, that it sympathised with, and assisted so far as it was permitted, in the persecution of the common enemy. By means of the Sacramental Test the Dissenters were shut out of the army, the navy, the civil service, the magistracy; the ruling Church refused to recognise their marriages, and forbade them to have schools of their own—though in the two latter matters the law was rarely enforced; nevertheless, it paralysed their efforts to improve themselves. In spite of their zeal and loyalty at the time of the Pretender's invasion of Scotland, the return of the Whigs to power, and the support of the viceroy, who wished that the only distinction which should be recognised was that of Protestant and Papist, the Sacramental Test was not abolished. The claims of the Presbyterians were revived in the viceroyalty of the Duke of Bolton in 1719, the only result being a miserable Toleration Bill, allowing them to worship in their own chapels when they could get sites to build them on, but leaving them under all their civil disabilities. Even this slight concession was gained by reviving and enlarging a great evil, which, despite the efforts of Primate Boulter and the English interest, had begun to fall into abeyance —the filling up of all high offices with Englishmen. The Established Church clergy were at this time so Jacobite that they omitted the names of the members of the royal family in their service. The Whig administration wished,

therefore, to leaven the bench of bishops with English partisans. A few years later Primate Boulter complains that if an Englishman were not appointed to the vacant see of Cashel, there would be thirteen Irish to nine English bishops, "which we" (*i.e.* the Lord Chancellor and himself, both Englishmen) "think will be a dangerous situation."[1] This gradual filtering of Englishmen into Church benefices, judgeships, and, in fact, into all offices of emolument, kept the English interest alive and continuously recruited the Castle set. Out of these fresh importations new families of gentry burgeoned, or, in the case of a fat bishopric or chief judgeship, or other high office, they blossomed perchance into nobility.

The destruction of manufacturing industry, the restriction on trade, the falling of the land out of cultivation, the conversion of arable land into pasture, the drain from absentee rents and pensions, and the cost of imported luxuries, had gradually impoverished the kingdom to an alarming extent. Villages and farm-steadings surrounded by cultivated fields were now replaced by long stretches of treeless, houseless country, occupied by cattle and sheep, while, on the inferior land, wretched, half-naked peasantry living in holes or hovels, practised a poor system of husbandry to provide rack-rents, which were increased upon the least sign of improvement either in the appearance of the land or of the dwelling or dress of the peasants. The houses of the gentry were mostly mere thatched cabins. The peasantry were always on the brink of starvation, and were now entering upon a period of famines—five or six in the course of twenty years—culminating in the dire famine and its accompanying pestilence, or hunger-fever, of 1741, in which 400,000 persons perished. Even before the commencement of the famine period, the frightful desolation of the country and the misery of the people excited the notice of Dean Swift, who in 1720 published his first pamphlet on strictly Irish topics: "A Proposal for the Universal Use of Irish Manufactures." In a letter to Pope, Swift gives us an interesting account of the events connected with this

[1] Letter to Lord Carteret, February 18, 1726 [1727], vol. i. p. 141.

pamphlet, which throws much light on the government of Ireland at the time. "It spread," he says, "very fast, being agreeable to the sentiments of the whole nation except of those gentlemen having employments or were expectants. Upon which a person in great office here immediately took alarm; he sent in haste for the chief justice, and informed him of a seditious, factious, and virulent pamphlet lately published with a design of setting the two kingdoms at variance; directing at the same time that the printer should be prosecuted with the utmost rigour of the law. Waters, the printer, was prosecuted, the grand juries of the county and city were effectually practised with to represent the said pamphlet with all aggravating epithets, for which they had thanks sent them from England, and their presentments published for several weeks in all the newspapers. The printer was seized and forced to give great bail." The jury returned a verdict of not guilty, "*although they had been culled with the utmost industry.*" The chief justice, who was a zealous loyalist, "sent them back nine times and kept them eleven hours, until, being perfectly tired out, they were forced to leave the matter to the mercy of the judge, by what they call a special verdict."[1] The judge, under such circumstances, did not venture to pass sentence, but decided to have a second trial; but when the Duke of Grafton arrived, he at once ordered a *nolle prosequi* to be entered. The words in italics show that "jury packing" in political trials is an old institution in Ireland. The conduct of the judge, too, shows the antiquity of some unjudicial exhibitions on the bench. If such things could be done in the first court in the kingdom, what must have been the administration of justice in the petty courts in remote districts?

At the period with which we are dealing, the value of all the coin in circulation did not perhaps exceed £400,000; the copper coinage was deficient, debased, and in great part counterfeit. Owing to the high standard of value of gold relatively to silver, the latter tended to decrease, and the former to increase; from other causes the increase

[1] Swift's Works, vol. ii. p. 549, Bohn's edition.

of gold was chiefly in large foreign coins. The result was a lack of silver change, and too many large gold coins. Bishop Berkeley alludes to this in one of his queries: "Whether four pounds in small cash may not circulate and enliven an Irish market which many four-pound pieces would permit to stagnate?"[1] In fact, so hampered was trade on account of the state of the coinage, that wages could not be paid in coin—weavers, for instance, often being paid their wages in cloth, which they were sometimes compelled to exchange for half its value. The Duchess of Kendal, who was notorious for her insatiable greed, and was always looking out for opportunities to gratify it, discovered that Ireland wanted copper money. About 1724 she procured a patent for one William Wood, a large ironmaster and owner of mines, to coin £108,000 (Irish) worth of halfpence and farthings. It appears, from the terms of the patent and the price of copper at the time, that the profit on the transaction would have been at least £40,000, of which a goodly share would no doubt have gone to the duchess.

A great clamour arose about this gross and extravagant job. The two Houses of Parliament petitioned the king, the halfpence were refused, and great disgust and annoyance were felt at court; even ministers quarrelled over the matter. After a long delay, but only after an intimation that no money Bill would be passed, an answer came to the petition of Parliament asking for the withdrawal of the patent. The answer was evasive—it was, in fact, a transparent device to escape out of the difficulty without making any real concession. An inquiry was promised, which was entrusted to a committee of the English Privy Council; samples of the halfpence were assayed at the Mint, under the direction of Sir Isaac Newton, then Master of the Mint, who reported them to be in accordance with the patent. The committee reported that the king had acted within his prerogative, and that the patent could not be legally withdrawn. The report was sent to Dublin and circulated, and the Government believed the storm had blown over.

[1] The *Querist*, No. 482.

It is probable that nothing more would have been heard of the subject had not Dean Swift, in 1724, taken it up. Under the signature of M. B., a drapier, he published in rapid succession a series of letters and some incidental pieces in which he consigned to everlasting scorn and infamy this miserable job and all connected with it. The unfortunate Wood served as a lay figure, through whom the real culprits were wounded. The whole country got into a wild state of excitement; no one would take the halfpence. The Duke of Grafton was not considered strong enough to cope with such a storm, so he was recalled, and in 1724 Lord Carteret, one of the ablest statesmen of the Whig party, was sent in his place, to use all means which experience in England had proved successful in such cases: "corruption and resolution, adroitness and good dinners; 'Burgundy,' 'closeting,' and 'palaver.'" [1]

Carteret set to work the very day of his arrival—that, too, on which the fourth Drapier letter appeared—to carry out a vigorous policy contrary to the advice of many of his Council. "A vigorous policy in Ireland" always gave satisfaction in England; so Harding, the printer, was prosecuted. Swift addressed an anonymous letter to the grand jury, who following his advice threw out the bill; though browbeaten by Chief-Justice Whitshed and sent back to consider their verdict, they persisted in it by a majority of twenty-seven to eleven. The majority were sent for individually in succession and expostulated with, but in vain. The chief-justice was so enraged that he discharged the grand jury contrary to law and precedent. A second grand jury was summoned, but, instead of presenting the printer of the "Drapier's Letters," they presented all persons who had attempted or should endeavour to impose Wood's halfpence upon Ireland as enemies of his Majesty and of the welfare of the kingdom. The Government had now either to yield and withdraw the patent, or to treat the colony as they did the native Irish, and govern the whole country by force. Under the advice

[1] Froude, *op. cit.*, vol. i. p. 533.

of Primate Boulter, who had just become chief manager of Irish affairs, they withdrew the patent and compensated Wood.

The administration of Primate Boulter as general manager for successive viceroys, especially Lord Carteret, was very successful from the point of view of the English interest. He imposed the penal laws with great stringency, and protected the minor agents of Government in their lawless proceedings; above all he did his best to keep all sections and parties asunder by setting them against each other, and by fomenting and encouraging jealousies and quarrels within the several parties. With the object of preventing any amicable relations between Catholic voters—for the Catholics still retained to some extent the Parliamentary franchise—and Protestant candidates, especially those of the patriotic or national party, such as might perchance induce the latter to look with sympathy on the wretched position of Catholics, he surreptitiously slipped a section into a Bill, having the harmless title, "An Act for the further regulating the election of members of Parliament," etc. This section ran as follows: "And for the better preventing Papists from voting in elections, be it further enacted by the authority aforesaid, that no Papist, though not convict, shall be entitled or admitted to vote at the election of any member to serve in Parliament as knight, citizen, or burgess, or at the election of any magistrate for any city or other town-corporate, any law, statute, or usage to the contrary notwithstanding."

The want of a sufficient supply of good copper coins, which was the ostensible origin of the Drapier storm, still existed, and had become intensified. The obvious remedy for this state of things would have been to establish a mint, as Dean Swift desired, and as the public wished. Bishop Berkeley, in one of his queries, asks, "If we had a mint for coining only shillings, sixpences, and copper money, whether the nation would not soon feel the good effects thereof?"[1] But this was the last thing Primate Boulter would sanction; in his opinion it would be a signal

[1] The *Querist*, No. 485.

sign of independence. So he spent twelve years in trying to get some copper coined at the Mint in London, and in having the standard of gold lowered—a striking illustration of the absence of any interest on the part of the English Government in the welfare of Ireland where English interests were not involved. When the Primate at length got his supply of copper coins, Dean Swift is said to have hung out a black flag on the top of St. Patrick's Cathedral, Dublin, and rung a peal with muffled clappers. Writing to the Duke of Dorset evidently in a state of great irritation at the manner in which his gift was received, the Primate says, "I have had a great share of suffering on this account, as far as the most virulent papers and the curses of a deluded and enraged multitude could go."[1]

But no amount of skill in keeping things quiet and carrying on the "king's business" so as to maintain the English interest and the Ascendency faction could save the kingdom from the neglect of all economic laws, and so the gradually increasing misery culminated in 1729, after three unfavourable harvests, in a dire famine.[2]

It was while the country was suffering from the effects of this famine that the notorious Charter Schools—the conception of Primate Boulter—were founded. The want of food, and the hunger-fever which always accompanies famine, had reduced the south and west of Ireland to a state of intense misery, and left a large number of orphans. Here was an opportunity not to be neglected of growing a Protestant population. Primate Boulter first broached his scheme in a letter to the Bishop of London, urging "that one of the most likely methods we can think of is, if possible, instructing and converting the young generation; for, instead of converting those that are adult, we are daily losing several of our meaner people, who go off to Popery."[3]

[1] Letter of February 11, 1737 [1738], Letters, vol. ii. p. 246.

[2] It was this famine which gave occasion to one of the most merciless and scathing pieces of sarcasm ever written by Swift: "A Modest Proposal for preventing the Children of Poor People in Ireland from being a Burden to their Parents or Country, and making them Beneficial to the People."

[3] Ibid., vol. ii. p. 11. See also letter of May 5, 1730, Letters, vol. ii. p. 10

The principal nobility, gentry, and clergy of the Ascendency accordingly presented an address to his Majesty for a charter of incorporation, for a society for establishing schools to teach Papist children the Protestant religion. The charter was granted, and a number of schools were established; these were soon filled by pressure and intimidation, and kidnapping. The latter method, which was ostensibly employed at first to gather up the wandering, starving orphans, soon extended itself to any children that could be laid hold of, and became so common that the tradition of the Charter School kidnappers came down even to within living memory as a bogey for frightening wayward children. The schools were at first supported by subscribed funds, but after some time they became a national institution recommended in the speeches of the viceroy at the opening of Parliament. Ill managed from the first, left in the hands of the lowest class of disreputable jobbers, the Charter Schools were perhaps, without exception, the basest and most demoralising engine ever employed against the people of Ireland.[1]

But while it was sought to strengthen the English interest by the importation of clergy and place-men, sham and real conversions under the pressure of the penal laws, and the kidnapping of Catholic children, the Protestant interest was bleeding almost to death. The Restoration had driven the greater number of sturdy, energetic Puritans out of three-fourths of Ireland. The disabilities under which the Dissenters laboured, joined to economic causes after the Revolution, were now doing the same thing with the Presbyterians of Ulster. This Nonconformist emigration, which had been going on for many years, rising and falling according to the course of events in the kingdom, now poured out in a constant stream, bearing away the

[1] The Charter Schools are now represented by the Incorporated Society, the funds, which are considerable, being now applied, not very wisely or economically, for the education of Protestants only, instead of being applied, as they ought to be, to found bursaries to enable the cleverest boys in *all public primary schools irrespective of religious denomination* to get a superior education. In this way some compensation might be made to the country in the future for the evil they have done to it in the past.

most manly, energetic, and enterprising part of the Protestant population. At the same time the pressure of the penal laws, the restriction on industry and trade, the closing up of all avenues to distinction drove into voluntary exile those who should have led the native race. Thus the country was continually losing the flower both of the Protestant and Catholic youth—the former to people the swamps of the New World, and assist in creating a great nation; the latter to fight battles in which they had no real interest, and to suffer the contumely and neglect which is usually the reward of the mercenary.

In one year, according to Primate Boulter (1728), 3100 Protestants emigrated from Ulster. They went chiefly to Pennsylvania, Western Virginia, and North Carolina, which were in a great measure peopled by these Scotch-Irish, as they are called in the United States. The effect of this emigration upon the emoluments of the Presbyterian clergy was very serious. In a letter of Primate Boulter to Sir Robert Walpole, it is stated that, owing to the emigration to America, the scarcity of corn, and the consequent loss of credit, the Presbyterian ministers were in a very bad way, some who used to get £50 a year from their congregation not receiving £15. The Catholic emigration was very great, the Irish regiments in the service of France being regularly recruited in Ireland, although the penalty for enlisting in a foreign service was death—a penalty, however, rarely, if ever, enforced. The smuggling trade in wool greatly facilitated the flight of the "wild geese," as these recruits were called; but in times of peace they found their way to the Continent, on the pretence of seeking work in England. That the enlistment of men for the service of France was connived at, there can be no doubt. In 1730, when France and England were allies, the Duke of Newcastle, with the sanction of Sir Robert Walpole, furnished a Lieut.-Colonel Hennery, or rather Hennessy, with letters to Primate Boulter, with the object of getting a licence for himself and other French officers to recruit openly. The rumour of the affair made much noise, however, in London, although the primate observes, in his letters, that the

number to be raised by the king's leave this year had been clandestinely raised annually for some years. It was thought desirable, however, to withdraw the leave, and that the officers should return to France.

The rulers of the kingdom looked upon both classes of emigrants—Protestants as well as Catholics—with dread, as elements of disorder and mischief, and secretly rejoiced at their departure. The Protestant emigrants were usually considered to be idlers, debtors flying from their creditors, and generally discredited persons whose absence would benefit the country. It is curious to find that more than fifty years afterwards, when the stream of Protestant emigration again flowed rapidly, the opinion of the governing class about these sturdy Presbyterian emigrants remained the same. Arthur Young records the opinion of Chief Baron Forster about the Protestant emigration in 1776. The chief baron was an enlightened man, yet he says those emigrants were principally idle people who, far from being missed, left the country the better for their absence. This was not the opinion of one man only; it expresses the universal opinion of the governing class at the time.

After the famine and pestilence of 1741, the Government, as usual after such calamities, bethought themselves how similar visitations might be prevented in the future. They carefully avoided considering the true and only remedies for the evils from which the country suffered. The viceroy recommended the employment of the people and the encouragement of tillage; Parliament agreed, but did nothing—and, in truth, did not want to do anything. Bishop Berkeley, after a previous famine, had offered many suggestions for the improvement of the country, which, though not touching the root of the evil, were worthy of being adopted by any Government desirous of the public welfare.[1] But the advice was unsuitable for the purposes of Primate Boulter and the English interest; in fact, in the opinion of Boulter, many of the queries were revolu-

[1] The first edition of the *Querist* was published anonymously in three parts in 1735.

tionary, and the author of them a dangerous man. Some of Berkeley's friends thought him worthy of the Primacy, but he saw an unsurmountable obstacle in the way. Writing to his friend Prior in reference to the vacancy caused by the death of Boulter, he says, "For myself, though his Excellency the Lord-Lieutenant might have a better opinion of me than I deserve, yet it is not likely he would make an Irishman primate."

In the midst of the misery of 1741, a new apostle of reform and a champion of legislative independence appeared—Dr. Lucas. He had not the genius or style of Swift, but he was bold, and attacked abuses and tyranny in an incisive, if somewhat coarse style, and with a freedom hitherto unknown. Although Lucas began as a colonial patriot, his denunciation of the whole system of misgovernment made him popular with the native race, and all classes of nationalists read his weekly paper, the *Citizens' Journal*, with avidity. The popularity he enjoyed among the native Irish only tended to increase the fear and hatred of him among the Ascendency faction. He had dedicated his first number to the king, and sent the viceroy a copy for presentation to his Majesty. Having most likely received no acknowledgment of his letter, he announced that he would attend the *levée* and ask the Lord-Lieutenant himself if he had transmitted the paper. He went to the *levée*, but Lord Harrington sent an officer to request him to leave, which he did; and in the next number of his paper he published an account of how he had been treated. This gave him an occasion of passing from social to political topics, and of insisting on the right of Ireland to make her own laws without the interference of England. The effect was twofold. In the first place, he became the popular idol of the Dublin traders and artisans; and, in the second, he incurred the hatred of the Government in a proportionate degree. In a letter to the Duke of Bedford,[1] the viceroy says, "The incendiary had gained so many converts that it was absolutely necessary to put a stop to his proceedings." There happened at the moment to be a vacancy in

[1] October 12, 1749, Froude, *op. cit.*, vol. i. p. 608.

the representation of Dublin; Lucas immediately offered himself for election, and, as he had real influence among the trading and artisan population—the various trade-guilds were about to present him with the freedom of their respective corporations—he had a good chance of being returned. This was too much for the Government. In opening the autumn session of Parliament, Lord Harrington denounced him; the Parliament voted him an enemy to his country, one of his principal crimes being his assertion of the rightful independence of the Parliament itself. The lord mayor and aldermen, whose jobbery and corruption he had exposed, attacked him and his paper. Everything being ripe, and the writ for the city election not having been issued, a warrant was prepared for his arrest and committal to Newgate; but before it could be executed he escaped to the Isle of Man. This persecution drew attention to the writings of Lucas, which were read by every one, and his opinions took root and spread far and wide. In Parliament, too, an opposition party, the members of which were known as "patriots," had grown up, who helped to keep the national sentiment alive, although their nationality was narrow and exclusive.

V

PERIOD OF CORRUPTION; DAWN OF CIVIL AND RELIGIOUS FREEDOM

PRIMATE BOULTER died in 1742, having barely outlived the great famine and pestilence which formed one of the illustrations of the policy he was employed to carry out. Bishop Hoadly succeeded to the Primacy, but not to the office of master manager of the king's business; he in turn was succeeded by the notorious Dr. Stone, Bishop of Derry, who possessed in an eminent degree the qualifications necessary to be the political successor of Primate Boulter. He was an Englishman by birth, of handsome person and dignified manners, but loose, immoral, and corrupt. He was just the man to help the Duke of Devonshire to do the "king's business," and keep things quiet.

In 1745, after a period of degrading persecution, Lord Chesterfield became Lord-Lieutenant, and the stringency of the penal code was for a time relaxed. He recommended Parliament to inquire if the Popery laws needed amendment. Strengthening the Protestant interest by an additional tyranny was the only way the Parliament understood how this could be done; but Lord Chesterfield soon showed that the same end might be attained more easily and effectively by different means. He stopped priest-hunting; he allowed the chapels to be opened for service everywhere. He was affable to the people, and manifested a desire for popularity. Officers and magistrates were rebuked for over-zeal; officials were given to understand that the king's business could be better done by moderation than by severity. It was also intimated to the judges that the custom, peculiar to Ireland, of reading homilies on the state of the country, might be advantageously

dispensed with. But, under cover of this moderation, so novel and agreeable to the poor oppressed people, Lord Chesterfield displayed an untiring vigilance regarding Jacobite movements. He soon satisfied himself that there were none. In fact, no interest in the Stuarts or their cause survived; it would not have been possible to get up an insurrectionary movement in their favour in Ireland, except among an insignificant number of Jacobites, many, if not most, of whom were Protestants, and none of whom were of the old Irish. Having ascertained this, the Popery laws ceased to be enforced. Mass was openly celebrated; but not a single enactment of the penal code was repealed. The Government, as a matter of policy, merely connived at the non-enforcement of the laws; but, as Edmund Burke observed, "connivance is the relaxation of slavery, not the definition of liberty."

Lord Chesterfield's mission of conciliation by a connivance at a temporary relaxation of the religious persecution having succeeded in tiding over the time of danger, there was no further necessity for his presence, and he was accordingly recalled, and the old policy resumed. But the short respite from persecution had infused a new spirit into the Catholics, and had introduced disturbing elements in the minds of thoughtful Protestants, as to the efficacy of persecution. The struggles of the patriots, though generally unsuccessful, kept alive the spirit of patriotism—colonial as yet, but destined in no long time to become national. It was but a respite, however, as the case of Mr. Saul, a Catholic merchant of Dublin, soon proved. A Miss O'Toole, a Catholic girl, who appears to have had some fortune, was pressed by her Protestant relations to conform to the Established Church. To avoid these importunities, she took refuge with her Catholic relation, Mr. Saul, who was prosecuted, in the name of a Protestant relation, for harbouring her, convicted, and told, from the bench, that as a Papist he had no right, inasmuch as the law did not presume a Papist to exist in the kingdom; nor could they so much as breathe there without the connivance of Government. Another symptom that the old spirit had

revived was a Bill for the registration of priests pursuant to the second of Anne, promoted by Lord Clanbrassil, afterwards Earl of Limerick, the object of which was to put an effectual stop, if possible, to the clandestine ordination of priests. The Bill was defeated in the House of Lords by the bishops. In 1757 Lord Clanbrassil succeeded in passing the Bill through both Houses of Parliament, but it was quashed in the Privy Council, that body having had peculiar powers under the Irish Constitution. The case of Mr. Saul, and the threatened Bill of Lord Clanbrassil, had most important consequences, for they led to the formation of the first Catholic committee, and to the initiation of the method of attaining religious and political freedom and social reformation by peaceful constitutional means.

Passing over the struggles of the patriots in Parliament, and the increasing corruption—the chief instrument of Government employed by the English interest—and also the early efforts of the native race to secure religious freedom, we come to an important period when the poorer classes, native and colonial, unable to bear any longer the grinding tyranny under which they laboured, made spasmodic efforts by a war of outrages, conducted by secret oath-bound associations, to relieve themselves. These organisations were in most cases defensive, but there were some propagandist or offensive bodies. The colonial organisations were practically confined to Ulster, and were formed among the weaving or manufacturing small farmers, though they embraced many workmen who held no land, and some small farmers unconnected with the linen trade. The Presbyterians, as we have seen, suffered several religious disabilities, and, like the Catholics, paid excessive rents and oppressive tithes, though not to the same extent. The scarcity of money, not only as capital, but also as coin in circulation; the heavy taxation, caused by war, and the consequent interruption of trade, and especially the high price of bread, produced dire misery nearly always verging on, and sometimes becoming, a partial or general famine, with its attendant hunger-fever. A society where this state of things represented the normal

condition of existence formed an excellent soil for the growth of lawlessness and crime, whenever the necessary impulse was given by some extreme acts of tyranny or injustice.

The injustice which led to the formation of the "Oak Boys," one of the best known of the colonial societies, was duty work on roads. Every householder was bound to give six days' labour in making and repairing the public roads; and if he had a horse, six days' labour of his horse. It was complained that this duty work was only levied on the poor, and that they were compelled to work on private job roads, and even upon what were the avenues and farm roads of the gentry. The name Oak Boys, or Hearts of Oak Boys, was derived from the members in their raids wearing an oak branch in their hats. The organisation spread rapidly over the greater part of Ulster. Although the grievances were common to Protestant and Catholic workmen, and there was nothing religious in the objects or constitution of the Oak Boys, the society was an exclusively Protestant body, owing to the total absence at the period of any association between the Protestants and Catholics. A Protestant workman or farmer who associated with a Papist was looked upon as an abettor of treason, and shunned accordingly.

The Steel Boys, or Hearts of Steel Boys, followed the Oak Boys.[1] They also were exclusively Protestant; the origin of this organisation was the extravagance and profligacy of a bad landlord, the representative of the great land thief, Chichester, of the Plantation of King James I. This worthy descendant, wanting to raise money wherewith to supply his extravagance, levied enormous fines for renewals of leases, thereby introducing into his part of Ulster an unjust and bad custom. The greater part of his tenantry, being unable to pay the fines, were evicted. This inhuman oppression called the Steel Boys into existence. At all times, and in all countries, the oppressed, especially when the hope of relief dies, and is replaced by a spirit of revenge, have recourse to combi-

[1] The Oak Boys movement took place about 1761–2; the Steel Boys about 1771.

nations for mutual protection. At first the sole object is defence from arbitrary acts; by-and-by the scope of such a society widens—it usurps the functions of the Government, issues decrees, holds its courts, tries, passes sentence, and even executes its enemies. In the smaller, ruder, and isolated societies, the second stage is marked by barbarous outrages. The Oak Boys and Steel Boys followed the usual course and became general reformers; they resisted the payment of tithes, and showed a certain republican spirit. Both societies had good reasons for combination, and they were free from religious intolerance and hatred. They committed many outrages, however, especially the Steel Boys. The Oak Boys and Steel Boys did not last long, and, when put down, did not revive, because the great emigration to America carried off all those who were most energetic and intolerant of oppression, and at the same time relieved the labour market to some extent; but chiefly because the grievances were redressed, and in any case were neither so heavy nor deep seated as in the case of the native Irish of the south.

In the south the same jobbing grand juries and road contractors, the same gambling spendthrift landlords, exacting even more grinding rack-rents, the same harsh and unfeeling tithe-farmers abounded as in Ulster. But in addition to all these causes that excited the opposition of the Oak Boys and the Steel Boys, we should remember that the southern farmers and labourers could hold no estate in the land; that the fruit of their toil was the property of their landlord, unprotected by even the custom of tenant-right; that they were thrown upon the land exclusively, without the help of any manufacturing industry to relieve the pressure on the land; that they were forbidden to read and write unless they conformed; that they were shut out from learning or practising most skilled trades; that every person connected with the administration of the law, from the judge to the turnkey, was a Protestant who looked upon Papists as the common enemy; and that the feeling was mutual, for the peasant believed that the law was intended to oppress and inflict

wrong upon him, and events too frequently justified his opinion. At this time, too, the country was in a bad way. "The lower class of the people," as Mr. Hely Hutchinson said, "wanted food; there had been two serious famines during the reign of George II.; the increased taxes and loans had ruined the finances of the country; little as the trade of the country was, there was not money enough to carry it on." Already, in the time of Primate Boulter, the tillage was insufficient to raise enough corn for the wants of the country, and a Bill for the compulsory tillage of five per cent. of the arable land was brought into Parliament. In the early part of the century, a malignant epidemic murrain, originating perhaps in the steppes of Russia, found its way through Holstein and Holland into the north of France, which it ravaged in 1731; and again, with increased virulence, in 1742 and 1744, when it also extended to a great part of Germany. In 1745 it laid waste Holland a second time, and thence found its way into England, which it ravaged for more than twelve years. It is impossible to give the exact number of animals destroyed, even if it were within the scope of this book; but it may be stated, in order to show the influence which this cause exerted on Irish affairs, that in one large district of England 80,000 cattle were slaughtered, and 150,000 died in the third year of the plague. The price of beef, butter, and cheese rose enormously, and the whole tillage of the south of Ireland was supplanted by pasturage. The numerous labourers employed in tillage were turned adrift without any means of earning food. The cottiers and small farmers, being tenants at will, were evicted, and their holdings consolidated. The idle labourers and dispossessed farmers crowded into the towns to beg food from the impoverished shopkeepers; many emigrated to America; many perished from hunger or fever.

Land which had previously been used as commonage was now enclosed, and let to graziers. This enclosure of the common land—most of which constituted the mark-land of the ancient tribes, and had consequently been

common land from time immemorial—meant starvation to the majority of the peasants of Tipperary and Waterford. They accordingly resisted the enclosures, and, collecting in bands, marched through these counties, pulling down the fences, often maltreating those engaged in putting them up. These desultory attacks being made in the open day, the chief actors were easily recognised and often punished savagely. An oath-bound secret society was accordingly organised, the members of which were known for some time as Levellers. These soon enlarged the scope of their operations by including the redress of their many other grievances—especially exorbitant rents and tithes; and, from the custom of disguising themselves on their nocturnal visits by wearing a white shirt over their clothes, they were known as Whiteboys.

The payment of tithes was naturally considered a great grievance by the Catholics and Presbyterians, not only because they were paid to a hostile Church, but because, the tax being levied only on corn, potatoes, flax, and meadow, it fell chiefly on the poor.[1] But the greatest grievance was not so much the tithe itself as the usual mode of collecting it, which often inflicted great hardships on the peasantry, although the parsons "seldom received more than one-third of their legal property, and sometimes not one-fourth, or even one-fifth."[2] The clergy of the Established Church rarely collected their tithes themselves; three classes of persons were engaged in this operation—the proctor, the tithe-farmer, and the canter. The proctor viewed and valued the crops of the parishioner, and afterwards chaffered with him about the price of the tithe; the tithe-farmer was a person who rented the tithe from the incumbent; and the canter was a person who bid for his neighbour's tithe. The canting of tithes was only resorted

[1] On March 18, 1735, the subject of tithe was under discussion in the Irish House of Commons, when a resolution was carried by 110 to 50, declaring the impost to be "grievous, burdensome, and INJURIOUS TO THE PROTESTANT INTEREST."

[2] "Considerations on the present disturbances in the Province of Munster, their causes, extent, probable consequences, and remedies," by Dominick Trant, Esq. Dublin, 1787.

to when the tithe-farmer considered the offer of the farmer more than commonly unreasonable. The canters were usually cottiers and labourers who had no tillage land of their own, and were able in this way to get a supply of potatoes which they might find difficult to procure otherwise.[1] It was the tithe-farmer who chiefly oppressed the peasantry. When the tenant, from one cause or another, was unable to pay the tithe, the tithe-farmer gave him credit, often at high interest, and if he failed to pay the interest, it was added to the principal, and ultimately his goods were perhaps distrained, even to his miserable furniture. Again, if a cottier or farmer, "or his half-naked wife or children, should inadvertently dig two or three beds of their early potatoes without leaving the tithe or tenth spade undug, the tithe-farmers immediately threatened to sue him for subtraction of tithe, to avoid which they were frequently obliged to take their tithes at his valuation. The tithe-farmer frequently left his tenth part of the potato garden undug until very late in the season, in order to prevent the farmer sowing his winter corn in time, and thereby force him to take his tithe; for there was no specific time allowed for removing the tithe of potatoes, and *a reasonable time* (an expression often made use of) is vague and uncertain. Again, if the poor farmer should fail to take up his bond on the day it became due, he was obliged to give the tithe-farmer his own price for that year's tithe. The tithe-farmer often kept the peasants bound from year to year in this manner for several years successively, and obliged them to give for their tithes whatever he thought proper to ask."[2]

With the exception, perhaps, of the tyranny of the tithe-farmers, most of the grievances which maddened the Irish peasant into insurrection and crime were either of recent origin or had become intensified beyond endurance

[1] "The Present State of the Church of Ireland, containing a Description of its Precarious Situation, and the consequent Danger to the Public," etc., by Richard [Woodward], Lord Bishop of Cloyne (author of the Charter School Catechism). Dublin, 1787.

[2] "A Letter from a Munster Layman of the Established Church to his Friend in Dublin on the Disturbances in the South." Dublin, 1787.

by the circumstances of the time. But to form a true idea of the sad lot of the Irish peasant, we must see him as he emerges from the slough of misery in the first half of the eighteenth century, just before the outbreak in Munster in 1762. He was rack-rented by his landlord; persecuted by the tithe-farmer; obliged to work on a holy day of his Church under a fine of 2s. or a whipping;[1] forbidden any pastimes, such as hurling or football, on a Sunday, the only day the poor wretch could indulge in pastimes, under pain of 12d. or two hours in the stocks;[2] forbidden to attend a "pattern" under a penalty of 10s., half to the informer, or in default to be publicly whipped.[3] If found with a switch or walking-stick, perhaps cut from a tree planted by himself—for planting a tree did not give a tenant any claim to it—he was liable to a penalty of 10s., and in default a month's imprisonment or a whipping;[4] he was liable to nocturnal visits in search of arms, game, "gadds," or "wyths." Scarcely a market-day passed in some Irish towns without the brutal spectacle of the whipping of poor peasants, tied to a cart and dragged through the town, between the hours of ten o'clock and noon, so as to secure the greatest number of witnesses of the punishment.

The whipping of women in Russia, and of female slaves in slave states, has always excited horror and disgust; yet the Ascendency, in the interest of their class, passed a law to punish any woman who hired herself to be a nurse, knowing herself to be with child, or continued to nurse a child under the same circumstances without informing the parents, or who had any foul or infectious disease; the penalty being that the offender should forfeit her wages and suffer three months' hard labour, and be publicly whipped on some market-day, between the hours of eleven and twelve in the morning, through the streets of the town where the house of correction stands.[5] There was, however, a saving clause which scarcely lessens the infamy: "Provided that no nurse who is with child shall be whipped

[1] 7 Will. III. c. 14, s. 1. [2] 7 Will. III. c. 17, s. 3.
[3] 2 Anne c. 6, ss. 26, 27 (the first Popery Act).
[4] 4 Anne c. 9 s. 12. [5] 2 Geo. I. c. 16, s. 7.

for offending this law till two months after her delivery." Whiteboyism was the outcome of all these grievances. Instead, however, of attributing the outbursts of violence and outrage to the true cause, the Ascendency party chose to believe them the work of a Papist conspiracy, inspired and subsidised by priests and foreign agents. This view was industriously spread by rack-renting landlords, who wished to divert attention from their own injustice.

In all insurrectionary movements many outrages and bloody deeds are perpetrated on both sides from a spirit of remorseless hatred; and the successive Whiteboy risings in the south of Ireland were unhappily no exception to the rule. But, however much we may abhor, and ought to abhor, the savage outrages of a desperate starving peasantry, we should still more abhor the merciless punishments, dictated by revenge and fear, inflicted upon them by their oppressors. That equally observant and honest English tourist, Arthur Young, speaking of the passing grievances of the Oak and Steel Boys of Ulster, says, "The case was, however, different with the Whiteboys, who, being labouring Catholics, met with all those oppressions I have described, and would probably have continued in full submission had not very severe treatment in respect of tithes, united with a great speculative rise of rents about the same time, blown up the flame of resistance. The atrocious acts they were guilty of made them the object of general indignation; Acts were passed for their punishment which seemed calculated for the meridian of Barbary. This arose to such a height that by one Act they were to be hanged under circumstances without the common formalities of a trial, which, though repealed by the following session, marks the spirit of punishment; while others remain yet the law of the land, that would, if executed, tend more to raise than quell an insurrection. From all which it is manifest that the gentlemen of Ireland never thought of a radical cure from overlooking the real cause of disease, which in fact lay in themselves, and not in the wretches they doomed to the gallows. Let them change their own conduct entirely, and the poor will not long riot."

VI

RISE AND GROWTH OF MOVEMENTS FOR FREEDOM OF TRADE, FREEDOM OF RELIGION, AND FREEDOM OF LEGISLATION

WHEN the colonial Parliament undertook the office of gaolers of the majority of the people of Ireland, they aimed at exercising supreme control over their own legislation. This spirit of colonial independence was so much in the air in the first Irish Parliament after the Revolution, that one of the members for the University of Dublin, William Molyneux, wrote, in 1698, a work in defence of the principle which has since served as a text-book. Molyneux was a friend and disciple of John Locke; and the essay of the latter, "On the True Original Extent and End of Civil Government," served as a basis for Molyneux's treatise. The essay was dedicated to the king, and in his dedication and preface the author leaves no room for doubt that the Ascendency was for him the Irish nation, and that the majority of the Irish people had no place in his scheme. Yet, strange to say, his fundamental thesis is that the right to which England may pretend of binding Ireland by Acts of Parliament can be founded only on the imaginary title of conquest, or purchase, or on precedents and matters of record; and he proceeds to show that Henry II. made no conquest, but received the voluntary submission of all the ecclesiastical and civil estates of Ireland. Henry having acquired the dominion in this way, Molyneux once for all disposes of the whole Irish people who bestowed it, and puts in their place the handful of Anglo-Norman adventurers who had crept into the country.

It is of no practical importance now whether the English

Parliament did or did not acquire rights of legislation for Ireland by conquest or voluntary submission; and, but for the tension of public opinion at the time, such an abstract essay as Molyneux's would not have produced the commotion it did, or sown the seeds which, though dormant for a long time, finally germinated in the minds of Swift, Lucas, and others.

The English Parliament was in no mood to allow the Irish colonists to indulge in dreams of legislative independence. Even before the appearance of Molyneux's book, the English Parliament had set aside the Irish Parliament altogether. In the Parliament called by King William on learning of the surrender of Limerick and the end of the Irish war, the Commons sent up a Bill to the Lords, providing that no person should sit in the Irish Parliament nor hold any Irish office, civil, military, or ecclesiastical, nor practise law or medicine, till he had taken the Oaths of Allegiance and Supremacy, and subscribed the declaration against Transubstantiation. The Act was a gross violation of the Articles of Limerick; it is true the rights of such physicians and lawyers as were within the walls of Galway and Limerick at the capitulation of these towns were reserved, but the section disqualifying Catholics from sitting in Parliament was withdrawn from this reservation.[1]

For more than thirty years after the surrender of Limerick, the Irish Parliament was merely a convenient instrument for carrying out the details of English policy and raising money; when anything serious was to be done, or anything about which the English were not certain that their Irish tools could be depended upon, they superseded the Irish Parliament altogether. In this way they prohibited the exportation of Irish woollen manufactures; they issued a commission of inquiry to ascertain how far the forfeitures in Ireland had been made available for the public service, and, as a consequence of the report of those commissioners, they passed the Resumption Act: so also did they direct the sale of the resumed forfeited lands,

[1] 3 Will. & Mary, c. 2.

and disqualify Papists from purchasing them, and avoid leases made to Papists.

The Irish constitution was peculiar. The legislature did not consist of three authorities—King, Lords, and Commons—but of five. The Irish Privy Council, in which the English interest predominated, prepared measures for Parliament in the form of heads of Bills, which were laid before the Irish House of Commons, debated, and, if approved of, sent to the Lords; if the latter approved, the draft Bill was sent to the English Privy Council, which might amend it, or not return it—that is, cushion it. When a Bill was sent back, the Irish Parliament might pass or reject it, but could not amend it. The Irish Privy Council might, however, cushion the heads of a Bill even after they had been approved of by both Houses of Parliament. Private members, too, might originate the heads of a Bill; and the House of Commons claimed the sole right of originating money Bills—a right persistently contested by the English ministry. Upon the assertion of this right on the one side, and its refusal on the other, the battle of legislative independence was mainly fought during many years. Subservient in almost everything else, the colonial Parliament clung to this right. But the popular voice, even of the Ascendency, had no means of expressing itself in such a constitution, for the House of Commons was an aristocratic body owned in great part by a limited number of landed proprietors.

The proposal of a union of Scotland with England naturally suggested a similar union with Ireland. It seemed to many to be the only way of getting rid of the trade restrictions which were impoverishing the kingdom. The question was debated in Parliament, and pressed upon the Government; the party of Brodrick, the speaker, went so far as to threaten to refuse the money vote, which was demanded for two years, and to pass a vote only for one year, unless the remonstrance was attended to. The Government won by a bare majority of four votes. This was the beginning of the struggle over money votes, which lasted up to the declaration of inde-

pendence. The pension list also engaged the attention of Parliament.

The public revenue of Ireland was of two kinds; (1) hereditary, and (2) temporary. The former, or hereditary revenue, was in turn of two sorts, namely, such as had been established by ancient custom, and such as had been established and granted by Act of Parliament to the Crown. Before the Revolution it was pretended that the sovereign for the time being had an estate in fee in the hereditary revenue both in England and Ireland, and might alienate or grant it, in whole or in part, in perpetuity. At this period, when Parliament rarely met, the hereditary revenue sufficed to maintain the machinery of government, but after the Revolution it became necessary to keep a standing army. So in the first Parliament, 1692, it was represented that the hereditary revenue would not be sufficient, and Parliament was asked to vote an additional supply. The House of Commons ordered a report to be laid before them on the state of the revenue of the nation, and the proposed scheme of the civil and military establishment. The officers of the Crown complied, and the report and estimate were taken into account by the House, notwithstanding that the ministers contended that the House had no such right. The House then granted such an additional supply only as they considered would be enough to make good the deficiency of the hereditary revenue. The sum thus voted constituted the temporary revenue. In every subsequent session of Parliament a similar report and estimate were laid before them; a committee was also appointed to examine the public accounts, and it was made a standing order of the House that no supply should be granted until after the committee of accounts had reported. When, as was often the case in the early part of the century, the hereditary and temporary revenue for the preceding two years—Parliament meeting at that time only once in every two years—was more than sufficient to meet the public expenses, there was a surplus in the exchequer. This surplus they considered as available towards meeting the public expenses for the following two years, and there-

fore voted so much less in supply, and this they did without the consent or authority of the Crown.

The total amount of the hereditary revenue of Ireland which could be legally considered to be the private property of the Crown, and capable therefore to be alienated or charged with pensions, did not amount to £15,000 a year, probably not to £7000. Nevertheless each successive sovereign used the Irish establishment as a special institution for providing for his royal mistresses and their bastards, and for court favourites. Thus Erengard Schulenburg, Duchess of Kendal, and Duchess of Munster in the Irish peerage, had a pension of £3000 a year, and her daughter Lady Walsingham £1500 a year. What a minister dared not do with the English revenue he did without scruple with the Irish revenue, though the act was equally illegal in both cases.[1] An English minister paid no attention whatever to the Irish Parliament or to law, when they stood in the way of his purpose; so the pension list grew continuously until it absorbed fully one-fifth of the hereditary revenue. When the list came to be scrutinised and debated, the mistresses and favourites were provided for in some other way, and the saving was devoted to political corruption, of which the most profligate use was made.

The failure of the efforts of the small Unionist party to attain a union between Ireland and England seems to have convinced the majority of thinking colonists that the English Parliament, which had been always so hostile to the growth of industry in Ireland, and had recently deliberately destroyed the chief industry of the kingdom, was not likely to reverse its restrictive policy, still less to lift Ireland into the position of equality with England itself. When once

[1] "Not a single pension in the Irish establishment is warranted by law—all are clearly illegal." Exclusive of French pensions, the military pensions, pensions to widows of military officers, and pensions granted under the disguise of salaries annexed to useless offices—a ministerial stratagem of the most dangerous tendency—amounted at Lady Day 1761 to £64,127; but they largely increased from year to year afterwards ("An Inquiry into the Legality of Pensions on the Irish Establishment," by Alexander McAulay, Esq. one of his Majesty's counsel-at-law for Ireland. London (printed) and Dublin (reprinted), 1763).

this belief had taken root, a national sentiment began to be engendered among the colonists, and revealed itself in a striking way in the year 1719. In this year the House of Lords of Ireland reversed a decision of the Irish Court of Exchequer in favour of Maurice Annesley, defendant in the suit. The latter appealed from the decision of the Irish House of Lords to the English House of Lords, who confirmed the judgment of the Irish Court of Exchequer, and issued process to put Annesley in possession of the property in dispute. Esther Sherlock, the plaintiff, petitioned the Irish House of Lords, who resolved to support their jurisdiction against the usurped authority of England. So the Sheriff of Kildare put Sherlock into possession; whereupon the Irish Court of Exchequer issued an injunction pursuant to the decree of the English Lords, directing the sheriff to restore Annesley. The sheriff refused obedience, and was fined, but was protected in his contumacy by the Irish Lords, who addressed the Crown, defending the rights of Ireland to her independent Parliament and appellate jurisdiction, and arrested the judges of the Exchequer. The king having laid the address of the Irish House of Lords before the English one, the latter reaffirmed their decision, and prayed the king to confer some mark of favour on the high Irish judges, one of whom was made chief baron of the English Exchequer. A declaratory Act was also passed, affirming that the English Parliament had the right and authority to make laws for Ireland, and that the Irish House of Lords had no right to act as a court of appeal. This declaratory Act met with great opposition in Parliament, notably from Mr. Pitt; it was, however, ultimately carried by 140 to 88. In the Lords the Duke of Leeds opposed it with great vigour.

In the following year (1720) Dean Swift published his proposal for the universal use of Irish manufactures. In a previous chapter I have already given a brief narrative of the events which followed the publication of this tract. I need only point out here that, although it contained nothing that could be considered seditious, there were many passages calculated to set people thinking, like the

striking fable of Pallas and Arachne. It was in the Drapier Letters, and especially in the fourth letter, that Swift gave voice to his nationality—a colonial one, no doubt, though it widened and broadened as he went along. Such passages as the following, however carefully set in the rest of the text so as to render it extremely difficult to construe treason out of them, show how the seed sown by Molyneux was germinating: "It is true, indeed, that within the memory of man the Parliament of England have sometimes assumed the power of binding this kingdom by laws enacted there, wherein they were at first openly opposed (as far as truth, reason, and justice are capable of opposing) by the famous Mr. Molyneux; . . . for in reason all government without the consent of the governed is the very definition of slavery; but, in fact, eleven men well armed will certainly subdue one single man in his shirt. . . . The remedy is wholly in your own hands, and therefore I have digressed a little in order to refresh and continue the spirit so reasonably raised among you, and to let you see that by the laws of God, of nature, of nations, and of your country, you are, and ought to be, as free a people as your brethren in England." In these and similar passages Swift gave form and substance to the idea of Irish nationality, which has never since been lost. Primate Boulter bears witness to the existence of the growing national feeling in a letter to the Duke of Newcastle: "Our pamphlets and the discourses of some people of weight run very much upon the independency of this kingdom, and in our present state that is a popular notion."[1]

Hitherto political struggles were confined to Parliament, save in the case of the Drapier storm, and, as those belonging to the native race were rigidly excluded from hearing the debates, they had no means of knowing the course of events. Acts might be passed seriously affecting them without their knowing anything about them, until they were put in force, as was done in the case of the disreputable trick of Primate Boulter, disfranchising all the Catholic voters of the kingdom. A great change took

[1] Letters, vol. ii. p. 207.

place, however, at the beginning of Lord Harrington's viceroyalty, by the creation of an independent public opinion outside Parliament, which in time was destined to influence and guide the latter—this, as already stated, was effected through the establishment of the *Citizens' Journal* by Dr. Lucas.[1] The effect of Lucas's writings was considerable; besides calling forth a number of pamphlets for and against his opinions, which were read, especially the former, with great avidity by the artisans and middle class, whose political faith had hitherto been a blind anti-Popery feeling, and to whom no ray of political light had hitherto penetrated, they created great demand for reprints of former pamphlets on the suppression of the woollen trade and other trade restrictions of the English. It is also worthy of note that in the pamphlet war carried on by the friends and foes of Lucas, many of them include in their purview old and pre-Norman Ireland—the foes to denounce its barbarism, and the friends to belaud its institutions; but, although on both sides there was abundant evidence of want of true knowledge—it could not have been otherwise at the time—these discussions indicate the birth of a common history in which all Irishmen would in time participate and interest themselves.

In the last year of Lord Harrington's viceroyalty there happened to be a considerable surplus, which the House of Commons determined to apply to the extinction of the public debt. The English Privy Council, to whom the heads of a Bill for the purpose had been sent in the usual way, comprised many strong partisans of prerogative, some of whom contended that the Commons of Ireland had no right to deal in any way with surplus revenue without the formal consent of the Crown previously obtained; others even asserted that the Crown had a right to dispose of any surplus without consulting Parliament. This was the view most favoured by the new viceroy, the Duke of Dorset, or rather by the virtual rulers of Ireland, Primate Stone and the secretary, Lord George Sackville, son of the viceroy. At the opening of Parliament, the viceroy informed both

[1] *Ante*, p. 57.

Houses that the king would *consent* to the application of such part of the balance in the treasury as could be spared to the reduction of the public debt. In the Bill prepared to appropriate £120,000 for this purpose, all reference to the king's consent was omitted; but the English ministry altered the preamble so as to imply the king's consent, and the Irish House of Commons passed the Bill so altered, thus establishing a precedent that they could not spend their own money without the consent of the English Privy Council.

The Duke of Newcastle, who became Prime Minister of England on the death of Mr. Pelham, was strongly in favour of maintaining the dependency of Ireland. Accordingly he commanded the Duke of Dorset, when opening the Irish Parliament in 1753, to repeat the expression of the king's *consent*. The Irish Parliament, however, took no notice of the gracious consent, but the English minister supplied the omission. It happened that, when the altered Bill came back, the Irish House of Commons was occupied in investigating the case of Arthur Jones Nevill, a member of the House, and surveyor-general. A sum of nearly £39,000 had been voted for the repair of barracks, so as to prepare them for the return of the troops after the peace. A committee appointed to inquire into the whole question laid bare a system of the grossest jobbery and corruption. It was shown that in the preceding thirty years a sum of nearly £200,000, exclusive of the £39,000, forming a considerable item of the public debt, had been spent on the building and repair of barracks, the greater part of which had been misappropriated by the surveyor-general. The House passed a Bill to indemnify the nation out of the estate of Nevill, but, the latter being protected by the Duke of Dorset and Primate Stone, the Bill was shelved in the Privy Council, and the surveyor-general was allowed to sell his office at its full value, and thus get rid of the responsibility imposed upon him by the House of Commons. Before the conclusion of the preceding session the House had passed some resolutions, calling on the surveyor-general to carry out the repairs of the barracks

at his own expense; and at the beginning of the session of 1753, a committee was appointed to see how far he had complied with the resolutions of the House. The report was to the effect that he had not done so. It was at this crisis that the altered money Bill was returned, so the House was in no mood to make any concession, and accordingly it expelled Mr. Nevill by a majority of eight in a very full House, and threw out the money Bill by a majority of five. This was looked upon as a great victory, and there was general rejoicing, in which the native Irish joined. It was a Pyrrhic victory, however, for, the public service being unprovided for, there was a stagnation of trade; the circulation having almost ceased, the working-classes suffered much, and were clamorous against both the Government and the patriots. Under the pretext of relieving the deadlock, the Lord-Lieutenant took the whole of the surplus revenue out of the treasury by means of a royal letter. After this *coup d'état*, the Government party became so unpopular that the Duke and his son were glad to get away to London, while Primate Stone durst not venture to leave his house through fear of the mob of Dublin, then completely under the influence of Dr. Lucas.

Next followed the sale of the "patriots" Boyle and Malone and their supporters. Boyle was created Earl of Shannon, with a pension of £2000 a year for thirty-one years, and Malone became Chancellor of the Exchequer. Boyle, the prime mover of the opposition, having gained his object, everything went smoothly for a short time. But there was much indignation felt by many at the sale of the patriots, and when Parliament met in 1756, the scandal of the increasing pension-list attracted attention. To prevent the purchase of members by means of pensions on the eve of a division, a Bill was introduced in March 1756, proposing that any member who accepted a pension or a civil office of profit under the Crown should thereby vacate his seat. The Bill was, however, rejected by a majority of twenty-six. On the day of the division a return of the names of the pensioners, which had been prepared by a committee appointed by the House, was

read. This return, although incomplete, revealed such a state of corruption, that the House in very shame passed a series of resolutions on the subject. The first of these stated that the several pensions and salaries placed upon the civil establishment of the kingdom since March 23, 1755, amounted to the annual sum of £28,103.[1] This was the price of the Boyle "patriots."

When the speaker presented, in the usual form, the pension resolutions to the viceroy, the latter answered that they were of so grave a character that he could not suddenly determine whether it would be proper for him to transmit them to the king. An attempt to insert the viceroy's answer in the Journals of the House having failed, a motion was made practically to adjourn all orders until the resolutions were forwarded to the king. This motion was carried by a majority of twenty-one. In the division Anthony Malone, now Chancellor of the Exchequer and a Privy Councellor, and the pensioned Boyle "patriots" voted in the minority. Next day the secretary informed the House that the resolutions would be forwarded. This victory was the turning-point in the struggle for legislative independence. The correspondence, too, between the Duke of Bedford, the viceroy, and Mr. Pitt, which reveals, in all its brutal nakedness, the machinery of Irish government, proves that a new spirit was growing up in the nation, and it is only just to say that Dr. Lucas had largely contributed to this result.

Although there was no real justification for reinforcing the Popery laws after Chesterfield's period of connivance, yet this was done with harshness and spasmodic vigour. There was a renewed effort to mend the code by enacting a new and special law for putting an end to the episcopal organisation by which the hierarchical succession was clandestinely maintained in Ireland. But although the time had passed for such laws, the attempt to impose them, and the case of Mr. Saul, showed what a deep stratum of intolerance still existed among the colonists. These events

[1] "A Letter from a Gentleman in the City to a Member of Parliament in the North of Ireland." Printed in the year 1757.

naturally created great excitement among the native population, and ultimately led to the foundation of the first "Catholic Committee," which may be said to have initiated the method of attaining religious and political freedom and social reforms by peaceful association. The merit of having started this great movement belongs to Dr. Curry, Charles O'Connor, and Thomas Wyse. They first looked for aid in their enterprise to the remnant of the Catholic aristocracy and gentry, and subsequently to the clergy. The first represented almost exclusively the Anglo-Irish Catholic families who had ruined the national cause in the time of Charles I., and who now lived in retirement, swathed in their own pride and helplessness, and in abject terror lest they might excite the cupidity of some Protestant neighbours, or even of their wives or degenerate sons. The clergy, though ready to brave death for religion's sake, were unprepared to join in political agitation.

The people—that is, the rural population and town labourers—were an uneducated, undisciplined mass, deprived of their natural leaders, easily led by those in whom they reposed confidence, but also liable to be carried away by ungovernable impulses under the pressure of the barbarous tyranny they were subjected to, and the sufferings they endured. Here and there a few of the people succeeded in getting some education, often in Protestant schools, and had by energy, thrift, and self-denial created for themselves a higher but still modest and unassuming social position by trade—that is, by all such occupations as were open to them. This rising middle-class had none of the effete political principles or prejudices of the aristocracy or clergy; they were practical business men who could understand a movement which was consonant with their habits, and which did not call upon them to risk their whole position. When "the aristocracy and clergy not only had refused all aid, collectively and individually, to the projected measures, but had strongly deprecated all efforts for redress," [1] the national leaders appealed with success to this

[1] Wyse's "Historical Sketch of the late Catholic Association of Ireland," vol. i. pp. 56, 57.

middle class, and the Catholic Committee was formed. The upper class kept carefully aloof from the organisation—nay, they "scorned all connection with its members, laughed contemptuously at its labours, and interposed every obstacle to prevent, to discourage, to neutralise its success."[1] Notwithstanding the slavish opposition of the aristocracy and gentry, and the absence of co-operation on the part of the clergy, this Catholic Committee did some service—it awakened the energy of the rising generation, and showed them that passive acquiescence in their degradation was not the way to remedy their grievances.

But its efforts were neutralised by the dissensions and culpable conduct of the aristocratic party and their wretched leader, Lord Trimleston, and still more by the outburst of the land war in Munster, which made the existence of an organisation of the kind liable to be connected in the minds of its enemies with the insurrection of the peasantry, and the outrages committed by them.

In 1764 Primate Stone, and Boyle, Earl of Shannon, died. While they lived, the friends of reform were thwarted and baffled. Every motion made in Parliament on such vital questions as the pension list, and the corrupt appointments of judges, was invariably defeated by the purchased votes of pensioners. A new plan was tried by Dr. Lucas, now one of the members for Dublin, who, despairing of effecting any reform until the Parliament was reformed itself, succeeded, in 1765, in passing a Bill for limiting the duration of Parliament to seven years, as in England. The Bill was transmitted to England by the viceroy, but was stopped by the English Privy Council, and a very ungracious answer returned. Another Bill was introduced to prevent the buying and selling of offices which concerned the administration of justice or the collection of revenue; but, as this meant ruin to the jobbers and pensioners, the Bill was lost in the Commons itself.

In 1767 Lord Townshend became viceroy. The new Lord-Lieutenant was good-humoured, witty, of easy

[1] Wyse's "Historical Sketch of the late Catholic Association of Ireland," vol. i. p. 62.

manners, and hospitable. If we may judge by his letters, he despised those who managed the Castle business, and loathed the venality and jobbery. He is credited with a special desire to put down all this corruption, yet it was never greater than during his administration. The duration of the Irish Parliament depended solely on the will of the king, who might dissolve it at any time, or prolong it thoughout a whole reign, as in the case of George II. A second Septennial Bill was passed in 1767 and transmitted to London, where, with the view of throwing the responsibility of rejecting it on the Irish Parliament, it was changed into an Octennial Bill; but the Irish Parliament avoided the trap thus laid, and accepted the measure as returned from England.

At this time the king's business was carried on through the assistance of a small number of Parliamentary leaders, two or more of whom, by coalescing, gave a majority. All places, pensions, titles, patronage of all kinds, and favours in Church and State, passed through their hands, and they "undertook" that their followers should vote "right." These "undertakers" were insatiable in their demands, and, if not cleverly managed, could at any time upset the king's business. The tyranny exercised on the viceroy by the "undertakers" was very great, and the cost of corruption proportionately large. Lord Townshend, in his bargains, was obliged, however, to leave the right of the Irish Parliament to originate its own money Bills an open question; and, as no amount of bribe could induce many of the members to part with their freedom of action in this matter, the viceroy soon came into collision with Parliament.

A money Bill, sent over by the English Privy Council, was rejected by the House of Commons in October 1769, "because it had not its origin in that House." Lord Townshend went to the House of Lords on December 26, and, following the precedent of Lord Sydney in 1692, he had the Commons summoned to the bar. He blamed their proceedings in strong terms, and, having ordered the clerk to enter his protest on the Journals of the House, in vindi-

cation of the royal prerogative, he prorogued Parliament, which did not meet again until February 26, 1771. The excitement caused inside and outside of Parliament by this proceeding was intense, and it much helped the political education of the people. Between 1771 and 1775 some concessions were made to the Catholics. They were allowed to take on lease a certain number of acres of unwholesome and unprofitable bog (1771); they were enabled to recover by law moneys lent by them to Protestants on mortgage (1772–1773); and an oath of allegiance was framed to meet their religious objections (1774).

In 1775 hostilities commenced in America, and Parliament was informed that it would be necessary to send a draft of four thousand troops from the Irish establishment. These troops, while absent, were not to be a charge on the Irish revenue; their place at home was to be taken by foreign mercenaries. The House of Commons assented to the draft of Irish troops but declined the services of the foreign soldiers, the House resolving by a large majority that the loyal people of Ireland would make the aid of foreign troops unnecessary. On the other hand, the English Parliament censured the engagement which the viceroy made of relieving Ireland from the support of the troops, and it was repudiated by the English ministry. Between 1775 and 1779 the American struggle went on, and the spirit of independence aroused in the West reawakened the love of liberty in Ireland.

Simultaneously with the beginning of the American war, the agitation for free trade commenced; and as England's difficulties increased, the demands of the Irish colonists grew louder and bolder. "Ireland," said Swift, "is the only kingdom I ever heard or read of, either in ancient or modern history, which was denied the liberty of exporting their native commodities wherever they pleased. Yet this privilege, by the superiority of mere power, is refused to us in the most momentous parts of commerce." This privilege the colonists, with arms in their hands, were now resolved to obtain. The defeat of the English at Saratoga in 1777 filled the Irish with hope. England tried

to conciliate the native Irish by granting them the right to hold landed property in 1778; and some concessions were made to the colonist on the subject of free trade; but in vain. In 1779 the crisis came.

As the American war progressed, Ireland became gradually denuded of troops, and volunteer corps, for defensive purposes, were formed throughout the country. The volunteer movement began in Belfast; but the example of Ulster was quickly followed by the other provinces. In 1779 there were about 40,000 volunteers in arms, commanded by the aristocracy of the island. Since the Treaty of Limerick, England and the English colonists in Ireland had combined to oppress the native race. But now, when England and the colonists stood face to face, each tried to conciliate the native Irish. In 1778 England conceded to the natives the right to hold landed property; in 1779–82 the colony placed arms in their hands to overawe England.[1] But the native Irish threw in their fortunes with those of their colonial fellow-countrymen, and a united Ireland confronted Britain.[2] The greatest enthusiasm prevailed everywhere; the commercial restrictions were vigorously denounced; and the volunteers passed resolutions declaring that "citizens, by learning the use of arms, forfeit none of their civil rights." On October 12, 1779, Parliament met. But four years previously Henry Grattan had entered the House of Commons, and he was now foremost among the leaders of the patriotic party. No one had striven so earnestly to end the feuds between colonists and natives; to build up a united Irish nation. He was the champion of the native race in 1778, when an important "concession" was made to them. He was now the champion of natives and colonists alike when it was sought to strike off the commercial fetters which shackled both.

[1] Thus justifying the saying of a Norman settler of the twelfth century, "Though English to the Irish, we are as Irish to the English."

[2] See Grattan, "Memoir," vol. i. p. 343: and speech of Colonel (afterwards General Lord) Hutchinson in the Irish House of Commons, February 20, 1792.

The address from the throne left the House in doubt as to the policy of ministers, and Hussey Burgh, a brilliant orator, who had obtained the rank of prime-sergeant under the Buckingham administration, and was now member for the University of Dublin, moved an amendment, which had been prepared in concert with Grattan, declaring "that it is not by temporary expedients, but by a free trade alone that this nation is now to be saved from impending ruin." This amendment was carried unanimously. The House then went in a body to present the amended address to the Lord-Lieutenant. Vast crowds of people assembled to witness the procession. The volunteers, under the command of the Duke of Leinster, lined the streets; and when the military force, thus drawn up to emphasise the popular demands, presented arms to the Speaker and Commons as these passed between their ranks, the air was rent by cheers in which were mingled tones of defiance as well as joy.

The answer to the address was unsatisfactory. The king expressed his readiness "to concur in such measures as shall, upon mature consideration, appear most conducive to the general welfare of all his subjects." But the country was now in no temper to be put off with meaningless words. The excitement in and out of Parliament grew intense. Violent speeches were made, and bold threats uttered. On November 4, the anniversary of the birth of William III., a demonstration took place in Dublin which could leave the Government in no doubt as to the state of popular feeling. The volunteers, commanded again by the Duke of Leinster, paraded round the statue of William in College Green. Emblems, devices, and mottoes expressive of public opinion were emblazoned on banners and shields which decorated the monument of the Protestant hero. "Relief to Ireland," "The volunteers of Ireland—quinquaginta millia juncta parati pro patria mori," "The glorious Revolution," "A short money bill," "Free trade"—these were the mottoes which hung around the statue of the conqueror of the Boyne; while beneath were planted two field-pieces bearing the inscription,

"Free trade or this." Volleys of musketry and the discharge of artillery were at intervals heard above the general din; the people in thousands thronged round the troops, and cheer on cheer rose until the outbursts of national enthusiasm awakened the echoes of Dublin Castle itself.

In the midst of all this excitement, Grattan, on November 24, moved "that at this time it would be inexpedient to grant new taxes." The resolution was carried by 170 votes to 47.[1] On November 25 the House went into committee of supply, and the national party returned to the charge, moving that the appropriated duties should be granted for six months only. A memorable debate, of which Hussey Burgh was the hero, followed. In the course of the discussion some member spoke of the necessity of "peace." Burgh sprang to his feet. "Peace!" he said. "Talk not to me of peace! Ireland is not in a state of peace; it is smothered war. England has sown her laws like dragon's teeth, and they have sprung up as armed men." This outburst was received with tumultuous applause, in which the occupants of the galleries uproariously joined. Amid a scene of wild excitement the resolution was then put from the chair, and carried by 138 to 100 votes.[2]

The battle was now won. The Lord-Lieutenant reported to Lord North that concession was imperative, and in December Lord North introduced into the English Parliament three resolutions for the relief of Irish commerce: the first permitted the free exportation of Irish wool and woollen manufactures; the second made a similar concession for Irish glass manufactures; and the third granted freedom of trade with the British plantations, on certain conditions of which the basis was an equality of taxes and customs. The resolutions were embodied in Bills, the first and second of which passed at once, the other being held over for a short time.

Having obtained free trade, the volunteers next resolved to obtain a free Parliament. On April 19, 1780, Mr. Grattan

[1] "Journals of the Irish House of Commons," November 24, 1779.

[2] Grattan, "Memoir," vol. ii. p. 402.

moved "that his most gracious Majesty, by and with the consent of the Lords and Commons of Ireland, is the only power competent to enact laws to bind Ireland." He opened a remarkable debate, which lasted till six in the morning, by a powerful speech. Mr. Flood, fearing that the Government had secured a majority, suggested that no division should be taken, and this suggestion was adopted.

In the mean time, volunteering went on with great vigour, so that fully 30,000 men, it is said, were enrolled in the year 1780. The volunteers had also begun to organise an artillery force, and the Government, under the influence of the popular enthusiasm, issued 16,000 stand of arms to them. They elected their own officers, and practised assiduous drill, aided by the instruction of Irishmen, returned from America invalided. As the fear of invasion subsided, the volunteers began to pay attention to Irish politics. Efforts were also made to combine the various corps into a regular organisation, of which the Earl of Charlemont became commander-in-chief. During the summer of 1781 reviews of volunteers were held all over the country, and their organisation and discipline made great strides, so that when the new viceroy, Lord Carlisle, met Parliament on October 9 he found the volunteers a formidable body, and the whole country in a state of commotion about legislative independence. The viceroy said not a word about the volunteers in his speech to Parliament, though the one thought of the Government was how to disarm and disband them.

On December 11, 1781, Mr. Flood moved for an inquiry into the operation of Poynings' Law, but the motion was negatived by 139 to 67. On the 28th of the same month, the southern battalion of the 1st Ulster regiment of volunteers, commanded by Lord Charlemont, held a meeting at Armagh, and, having discussed the condition of the country, and expressed their concern at the little attention paid to the constitutional rights of Ireland by the majority in Parliament, resolved to invite the volunteer associations of Ulster to hold a convention of delegates to deliberate on public affairs. The proposed meeting was fixed for

Friday, February 15, 1782, at Dungannon. The invitation was responded to by a hundred and forty-three of the Ulster volunteer corps. The moderation and peaceable character of the proceedings of the volunteers, and the temperate yet firm and determined expression of their opinions, left no opening for the Government to interfere with the proposed meeting; in truth, they dared not do so. The meeting was held in the parish church, and Colonel William Irvine was elected chairman. A number of resolutions were passed, unanimously declaring that "the claim of any body of men, other than the King, Lords, and Commons of Ireland, to make laws to bind this kingdom is unconstitutional, illegal, and a grievance." The meeting condemned, with but one dissentient voice, a mutiny Bill not limited in duration from session to session, and resolved unanimously that the independence of judges was as essential to the impartial administration of justice in Ireland as it was in England. With eleven dissenting voices, they resolved to pursue a speedy and effectual redress of their grievances by pledging one another to support at every ensuing election "those only who have supported and will support us therein." Lastly, with only two dissentient voices, they resolved that the right of private judgment in matters of religion was as sacred in others as in themselves, and therefore as men and as Irishmen, as Christians and as Protestants, they rejoiced in the relaxation of the penal laws against their Roman Catholic fellow-subjects. The following address to the minority in both Houses of Parliament was then adopted:—

"We thank you for your noble and spirited, though ineffectual efforts, in defence of the great and commercial rights of your country. Go on! the almost unanimous voice of the people is with you, and in a free country the voice of the people must prevail. We know our duty to our sovereign, and are loyal; we know our duty to ourselves, and are resolved to be free. We seek for our rights, and no more than our rights; and in so just a pursuit, we should doubt the being of a Providence if we doubted of success."

The minority lost no time in responding to the address. On February 22, one week after the Dungannon convention, Mr. Grattan moved an address to the king embodying the resolutions. The way in which the motion was met indicated the future success of the movement; the arguments were addressed altogether to the selfish aspect of the question, with the object of rousing the fears of the members. The attorney-general, for example, cleverly reminded the House that the declaration that England had at no time a right to make laws for Ireland might operate prejudicially on the tenure of property. The ministerialists, although opposing the address, asserted that they did so in order not to invalidate past transactions, but that they did not thereby imply any present right in Great Britain to bind Ireland by Acts of the British Parliament.

Religious liberty advanced step by step with political liberty. On February 5, 1782, Mr. Gardiner, afterwards Lord Mountjoy, brought forward a measure for the further relief of the Roman Catholics. The debate which ensued was remarkable in many respects; many of the ablest men of all parties spoke in favour of the proposal, the popular leaders referring especially to the zealous co-operation of the Catholics in favour of Irish liberty. The Government left the question an open one, so that several of the Government party were able to speak and vote in favour of reform. Mr. Gardiner divided his measure into three different Bills. The first enabled Catholics to take hold and dispose of land and other hereditaments in the same manner as Protestants, with the exception of advowsons, manors, and Parliamentary boroughs. It also repealed the statutes against the hearing or celebrating of Mass; against a Catholic having a horse above the value of £5, and the acts excluding Catholics from dwelling in the cities of Limerick and Galway, and empowering grand juries to levy on Catholics the amount of any losses sustained by privateers, robbers, and rebels. The second Bill empowered Catholics to teach in schools, contained provisions for regulating the education of Papists, and repealed parts of

certain laws relative to the guardianship of their children. These two Bills became law; the third Bill, authorising intermarriages between Protestants and Catholics, was rejected by a majority of eight. Thus a great breach was made in the Penal Code.

The Irish Parliament was adjourned from March 14 to April 16, 1782. In the meantime Lord North's administration fell, and Lord Rockingham succeeded to office. Mr. Eden, who had been secretary under it, went to London with the viceroy's resignation, and, evidently impressed with the gravity of the situation, and the necessity of immediately doing something to calm the excitement, he moved, in the English House of Commons, on April 8, the repeal of the Declaratory Act, 6 Geo. I., arising out of the case of Sherlock *v.* Annesley, so far as it asserted a right in the king and Parliament of Great Britain to bind Ireland. He told the House, in the course of his speech explaining why he brought forward the motion, that in the then state and disposition of Ireland they might as well strive to make the Thames flow up Highgate Hill as attempt to legislate for Ireland, which would no longer submit to any legislation but that of its own Parliament. Mr. Fox met the motion so urgently pressed by an announcement that he would next day lay a preparatory measure before the House. On the following day he accordingly read a message from the king recommending the House to take the discontent of his loyal subjects of Ireland into their serious consideration, in order to make "such a final adjustment as may give mutual satisfaction to both kingdoms."

On April 14, 1782, the Duke of Portland, the new viceroy, arrived in Dublin, where he was received amidst the joyous acclamations of the whole people. On the 16th, the duke met Parliament, and Mr. John Hely Hutchinson, Secretary of State, communicated, on the part of the Lord-Lieutenant, a message similar to that of Mr. Fox in the British Parliament. Mr. George Ponsonby thereupon moved that an address be presented to his Majesty, thanking him for his gracious message, and

assuring him that the House would immediately proceed to the consideration of the just objects he had recommended. Mr. Grattan then moved as an amendment his original motion for a declaration of rights, and his amendment embodying the resolutions of the Dungannon convention was unanimously adopted.[1]

On May 17, Lord Shelburne, afterwards Marquis of Lansdowne, in the Lords, and Mr. Fox in the Commons, brought forward the subject of the Irish addresses. Fox went fully into the Irish claims. Speaking of the Declaratory Act of 6 Geo. I., he said "that it could not be supported with any show of justice." As to the right claimed by the Privy Council of England to alter Irish Bills, he said he was ready to give it up. Had a proper use been made of the power, it perhaps might have been retained, but to his knowledge it had been grossly abused. In one instance, in particular, a Bill had been sent over to England two years ago, granting, and very wisely and very justly granting, indulgence to the Roman Catholics. In the same Bill there was a clause in favour of Dissenters, for repealing the Sacramental Test; this clause was struck out, contrary, in his opinion, to sound policy, as the alteration tended to make an improper discrimination between two descriptions of men, which did not tend to the union of the people. Mr. Fox concluded his speech by moving that the Declaratory Act of 6 Geo. I. should be repealed. On May 27 the Duke of Portland communicated this resolution to the Irish House of Commons in a speech from the throne. An address in reply, moved by Mr. Grattan, was carried with only two dissentients, who thought that the words "that there will no longer exist any constitutional question between the two nations that can disturb their mutual

[1] Subsequently a correspondence passed between the British ministers and the Irish leaders with reference to the details of the Bill which should be introduced to carry out Grattan's aims. It was the desire of the ministers that, while conceding legislative independence to Ireland, the supremacy of the British Parliament should be expressly recognised. It was the desire of the Irish leaders that the independence of the Irish Parliament should be acknowledged without any limitation, and the ministers finally yielded the demands of the Irish leaders in full.

tranquillity" should be omitted from it as injudicious. Others besides the objectors to these words believed the concessions made were not sufficient; Mr. Flood endeavoured to obtain a positive renunciation by Great Britain of all right to bind Ireland by British Acts of Parliament, and said they should not rest satisfied with the mere repeal of the Declaratory Act. Mr. Grattan however, opposed this contention, on the ground that it would imply an ungenerous doubt of the justice of England, and Mr. Flood was defeated. Flood's object was however, gained, for the Government promised, on December 20, that they would bring in a Bill to settle the question. On January 22, 1783, the promised Bill was brought in and passed (23 Geo. III. c. 28). The following clause of this Act may be regarded as the charter of Irish legislative independence:—

"Be it enacted that the right claimed by the people of Ireland to be bound only by laws enacted by his Majesty and the Parliament of that kingdom, in all cases whatever; and to have all actions and suits at law, or in equity, which may be instituted in that kingdom, decided in his Majesty's courts therein, finally and without appeal from thence, shall be, and is hereby, declared to be established and ascertained for ever, and shall at no time hereafter be questioned or questionable."

Thus ended the struggle for Irish legislative independence, begun by Molyneux, carried on by Swift and Lucas, closed triumphantly by Grattan. "I found Ireland on her knees," said the great Irish patriot; "I watched over her with a paternal solicitude; I have traced her progress from injuries to arms, from arms to liberty. Spirit of Swift! spirit of Molyneux! your genius has prevailed! Ireland is a nation. In that character I hail her, and bowing in her august presence, I say, *esto perpetua!*"

PART II

FROM THE ESTABLISHMENT OF LEGISLATIVE INDEPENDENCE TO THE ACT OF UNION 1782–1800

By Dr. SIGERSON

I

EFFECT OF CONCESSION—WORK OF AN INDEPENDENT PARLIAMENT

THE struggle for a free constitution, developing the passion for liberty, had enlarged men's minds and extended their sympathies. Barriers between the sections of the people began to fall. The victory of the constitution had an analogous effect on a larger scale. The wave of exultant emotion which surged all over the island swept away the memory of past enmities with Britain. Notwithstanding the fierceness of the strife by which she had secured a free legislature, Ireland's first act was one of gratitude to England, her second a recognition of her liberator's service.

The Duke of Portland, in his speech to both Houses, on May 27, 1782, announced that the king and Parliament of Great Britain had cordially assented to remove all causes of discontent, and that his Majesty was ready and anxious to sanction Acts abolishing the powers of the Privy Councils to suppress Irish Bills, putting an end to their alteration anywhere, and limiting the Mutiny Act to two years. These intentions were "unaccompanied by any stipulation or condition whatever." Then Grattan, entering into detail, showed that Great Britain gave up every claim

to authority over Ireland. The British Commons had agreed unanimously to the Irish claims, and in the House of Lords there had been but one dissentient. Next, touching a chord which vibrated in every heart, he declared that the spirit of the nation was called upon to make an unconditional grant to England. The sea had been the scene of Britain's glory; there she could most effectually be assisted. Hence he would ask them to vote £100,000 to raise and equip twenty thousand Irish seamen, for the common defence of the empire. The suggestion was adopted with delight, as evidence of their resolve "to stand or fall with England," now that Ireland's rights were conceded. Other proofs followed fast. Volunteer corps proffered to cross the Channel and give their services to Great Britain in case of an emergency. Their weapons, so lately directed against her, were now ready for her defence. Further, a Bill enabled his Majesty to draw five thousand men out of the standing army of Ireland whenever he required them; with the remnant of the regulars and her volunteer army Ireland engaged to protect her own coasts. These and analogous acts were evidences undeniable of that generous spirit of cordial amity which sprang up immediately on the concession of the Irish claims at a time when Ireland might have enforced them by arms. Not ungrateful, the emancipated Parliament voted Grattan £50,000. The court party, not sharing in the glow of generous emotion, sought to disarm his influence by crown favours. The Lord-Lieutenant offered him the viceregal lodge. He accepted the people's tribute, but declined the court's proposals.

During the sessions of 1781–82 the abuses of the administration—for which the English Cabinet was responsible—were attacked by the popular party in Parliament with vigour and persistency. At the beginning of the session, they called attention to the extraordinary fact that the Chancellor of the Exchequer, drawing an immense salary, did nothing for it, and lived out of the country. They protested against another grievance equally scandalous and startling, namely, that the Master of the Rolls

was allowed to act in like manner, drawing a great revenue out of "a kingdom he does not condescend to visit." The judges, on the other hand, had been poorly paid, and kept dependent on the Government, their tenure being "during pleasure." Already the patriots had moved that they should be made independent and properly paid. The Cabinet consented to increase the stipend (which by itself increased the dependency), and rejected the other issue. Not until the legislature acquired its independence was the independence of the judicature assured, and assured it was immediately. Minor reforms, connected with the administration of justice, relating to masters in Chancery and jurors, were also advocated by the popular party. The prisons had frequently been pest-houses, too often devastated by jail-fever, which sometimes swept off jurors, lawyers, and witnesses by its pervading contagion. Measures were taken to remedy this, and, by a revision of the criminal law, to humanise that terrible code which had dealt death alike to culprits offending by a petty theft and to those guilty of parricide. Poor debtors were considered. Until the popular party took up their case and bettered their condition, these unhappy wretches had been confined indefinitely in prisons, or rather noisome dungeons, often in the same cell with the felon and malefactor. Public baths were subsidised, to which the poor were admitted free, in great numbers. Thus the Irish capital takes rank as probably the first to provide such hygienic accommodation for the humbler classes. Measures were adopted to promote the planting of trees in the rural districts. In the city the repair of the streets was taken from a corrupt corporation, and by other measures the principal avenues of the city were enlarged, adorned, and a great new bridge built. The old custom-house had fallen into ruins, and become a disgrace and a danger; expansion of trade required new buildings; the foundations were accordingly laid of the classic edifice which attracts the admiration of every visitor. The rules relating to law students were considered, and the splendid Four Courts and Inns of Court arose, whilst the English judges still

sat in sheds off Westminster Hall. Irrespective of these, the sole official measure brought in during the session was one for the creation of a national bank—the Bank of Ireland—a measure which Provost Hutchinson had previously urged on every administration for ten years, and urged in vain.

Then came the great constitutional Act of Habeas Corpus, at last secured at a period when arbitrary power had been advancing. Nor was the Constitution of Parliament itself untouched or unimproved. Some members had been habitual absentees; "one gentleman, twenty-two years a member, had never attended in his place but once to vote." Ballots for committees were ordered, and absent members rendered liable to punishment. Care was taken to prevent delays in calling Parliament, and an effort was successfully made to diminish the influence of the Crown by purifying the electorate to some extent. Government had the appointment of revenue officers, and nominated them, by way of patronage, in numbers far in excess of the requirements of the service. Until then, as Mr. Mulgrave mentioned, at elections a gentleman could boast of having "mandatory letters from the revenue board to officers to influence them." Corruption could not be abolished in a period when minds were still corrupt; it began to diminish in an era of virtue. In the penal code directed against the Roman Catholics, a legacy of hatred and foul oppression had been bequeathed. This Henry Grattan and others had striven against from the first; and this, notwithstanding the objection of Flood and the murmurs of a few others, the Parliament had begun to destroy. Its early efforts were not great in themselves; they evoked the scorn of Burke[1] and the impatience of Grattan, but they marked a distinct advance. The declaration of the volunteers made this possible and imperative; the bell of Dungannon Church announced an epoch of national as well as of colonial freedom.

In reviewing the work done, the Lord-Lieutenant

[1] Letter to a peer of Ireland, February 21, 1782.

might well congratulate Parliament on the important Acts which should strengthen the great constitutional reform achieved, and which would "for ever distinguish that memorable session." "You have," he said, "provided for the impartial and unbiassed administration of justice by the Act for securing the independence of judges; you have adopted one of the most essential securities of British freedom by limiting the Mutiny Act in point of duration; you have secured that most invaluable of all human blessings, the personal liberty of the subject, by passing the Habeas Corpus Act; you have cherished and enlarged the wise principles of toleration, and made considerable advances in abolishing those distinctions which have too long impeded the progress of industry and divided the nation."[1]

Such were the first-fruits of Grattan's Parliament, when Grattan's influence predominated in it. Nor was the succeeding session inferior in the amount of substantial work done, though, as this had reference chiefly to matters social and commercial rather than political, the results are not so obvious. The entire commercial framework of the country had to be built on new foundations, and the labours of committees are not always interesting. But by such labours Parliament succeeded in averting a threatened famine, in relieving distress, in fostering infant industries, encouraging trade, extending commerce, and in making an impoverished country prosperous. Harbours were improved, piers built, fisheries promoted, and the carrying trade of the inland counties facilitated by a system of canal and river communication. A shipping law regulated the manning, victualling, and accommodation of vessels, so that passengers should no longer suffer from the recklessness or rapacity of owners. The gaols were again looked to, and all prisoners who had been nominally acquitted or discharged by proclamation, but were really detained for gaol fees, often in a starving condition and indefinitely, were at once liberated. Churches, colleges, and schools (all Protestant, of course)

[1] "Irish Parliamentary Debates," vol. i. p. 484.

were built. Skilled artisans were brought over from Britain, and factories established: the village of Balbriggan alone could show twelve hundred workers, six hundred being children. Associations were encouraged to promote industrial skill — the Dublin Society being granted £5000 for the improvement of husbandry and the useful arts, particularly glass- and porcelain-making, which it effected by procuring instruction and granting premiums. At the same time care was taken to prevent the abuse of loans to manufactures, and, on the motion of Mr. Foster, a man of great financial capacity, bounties on exports were gradually substituted—each bounty being thus a species of results' fee, granted on work done. The post-office was taken under Irish charge, and new rules were laid down for its better government, including the formation of Dublin (on a diameter of eight miles) into a penny-postal district. A measure was also adopted to prevent bribery and corruption at elections. It is true that reform of Parliament itself did not proceed so rapidly as was desired by many. The volunteers held a convention in the Rotunda, not far from the seat of the legislature, and, under the chairmanship of Charlemont, and guided by Flood, proposed a scheme for the more equal representation of the people. This scheme of reform was narrow, for in excluding the Catholics it virtually excluded the Irish nation. It was premature, and there can be no question that it was an error to convoke an armed convention, in the heart of the capital, in order to propound a scheme of reform to Parliament. It savoured too much of dictation, and gave offence to moderate minds. Had Parliament been offered and refused a reform resolution, the case would have been altered; popular manifestations might then have fairly pressed on a necessary and righteous reform. But Parliament had not been first consulted. Though Grattan pleaded that Flood should be allowed to bring in the Bill, and strongly deprecated any semblance of difference between Parliament and the volunteers, his speech lacked fire. Many sympathised with Sir Hercules Langrishe

when, recalling the magnificent gains achieved, he asked the volunteers to rest on their arms and view the present great labours of their representatives. "They would see them," he said, "arranging supplies, so as to ensure annual meetings of your Parliament; framing a Mutiny Bill to assert your constitution and govern the army; forming an Irish post-office; alike favourable to revenue and liberty; establishing an Irish admiralty court, with final appeal, the last pledge of external legislation; giving new authority to the laws, and new restrictions to prerogative, by an act of indemnity for a late embargo; deliberating on a wide system of commerce between this country and America, with the great conception of making, if possible, Ireland the mart of communication between the old world and the new; they would see them anxiously and honestly considering how best to relieve distress and promote the manufactures of this country." Yelverton, then attorney-general, carried the motion against the reception of the Bill by a majority of two-thirds, and immediately afterwards a resolution was passed declaring that "the House will maintain its just rights and privileges against all encroachments whatsoever." The convention, under Lord Charlemont's leadership, gave way to the susceptibilities of Parliament and separated. When the question of reform was again brought before the legislature, the measure submitted was fully debated (March 20, 1784); but on many points the weight of argument was against its advocates. The Bill, however, was rejected not so much because of its defects as on account of its merits. The former might have been corrected in committee; the latter threatened too powerful interests. Lord Powerscourt, in the Lords, said that it was not unconstitutional to declare the Parliament corrupt: "No man can deny it; it is too well known that two-thirds receive the wages of corruption." And Lord Aldborough had moved to cut down the pension-list to one-fourth, with other suggestions as to retrenchment. The parasites of place and pension rallied round the ministry, and the Bill was rejected by 159 to 85. The people outside did not analyse all the causes of

failure: they saw only corruption and resistance. The dissolution of the convention did not calm them. The season had been bad, but the condition of trade was worse. Whilst the new code was being fashioned and the duties revised, the English merchants were zealously endeavouring to destroy the nascent manufactures in Ireland by buying up the raw material, and pouring in manufactured goods at low prices to undersell the Irish in their own market. This was not in reality a special anti-Irish act, since it was the habit in England itself for established manufactures thus to crush out a rising rival if they could. But in this case there was a particular unfairness; the Irish ports had been by previous legislation laid open to British goods, whilst English harbours were practically closed against all Irish manufactured goods, except plain linens. The consequence was that there existed great distress and destitution amongst the artisans of Dublin, and from distress and destitution sprang violence, tumults, and outrages within the confines of the colony. Mr. Gardiner, calling attention to these facts, and to the report of a committee, pressed for a system, not of prohibitory, but of restrictive duties to protect the undefended manufacturers. On the other hand, Mr. Foster and the official party desired to delay the question of protective duties, until a final adjustment should be made with England by mutual conference and consent.

In the House of Peers Lord Mountgarret gave voice to the discontent. "Could Ireland," he asked, "say at this moment she had a free trade? No. It was a name, a shadow. Could she protect her trade? . . . No. He supposed the inattention of the English minister to this country, and the prejudice of the English nation, prevented the measure." Others, however, took a less gloomy view, and there is no doubt that, though there was distress, it was localised; whilst the grievance of unequal duties, though it checked enterprise, did not arrest it, for the official records attest that there had been a remarkable annual increase of manufactured goods. When the first

session of the free Parliament ended, in May 1784[1], fifty-six Acts had been passed (double the number passed in the previous session), of which forty-three were public Bills, all of them useful and some of great and permanent importance. On the whole, the legislature, if not performing all that was desired, had worked hard and accomplished, perhaps, as much as could reasonably be expected in the time. The enumeration of its Acts, given in the viceroy's speech, is very imperfect, but his testimony with respect to the work done is worth quoting. "The useful regulations proposed to be introduced into the collection and management of the revenue," he said; "the security of private property and the extension of national credit; . . . the plans for improving the metropolis, calculated not more for ornament and splendour than for health and convenience; your unanimous determination to defend the freedom of the constitution against the attacks of licentiousness; and your attention to the support of charitable institutions, are all unequivocal testimonies of your wisdom, humanity, and justice." [2]

[1] The fourth session of the third Parliament of George III. began October 9, 1781, and ended July 27, 1782. The first session of the fourth Parliament began October 14, 1783, and ended May 14, 1784. It was, therefore, the first session of the free Irish legislature.

[2] "Parliamentary Debates," vol. iii.

II

THE COMMERCIAL QUESTION—PROGRESS OF IRISH MANUFACTURES—COMMERCIAL PROPOSALS ACCEPTED—MINISTERIAL DISLOYALTY TO THE IRISH CONSTITUTION

WHEN the king dismissed his ministers, in the last month of 1783, the news excited no discontent in Ireland. On the one hand, the coalition of Fox with North, an old enemy, and the intrigues of the viceroy had chilled public sentiment; on the other, Mr. Pitt, a young reformer, might be expected to amend the state of the representation. The convivial Duke of Rutland arrived as Lord-Lieutenant, with Mr. Orde as secretary. Carrying out a previous suggestion, "Single-speech Hamilton," the absentee Lord Chancellor, was induced to resign on a copious pension, and Mr. Foster received the office. A clever financier and a resident, his appointment was welcomed, though his politics were anti-popular. Mr. Fitzgibbon, however, became attorney-general, and by his intolerant and domineering character soon aroused and embittered the slumbering forces of conflict.

The great question of this period was that of the commercial relations of Britain and Ireland. As they have been often misunderstood and sometimes misrepresented, it is necessary to go into some details. One writer has described Ireland as plunged into great distress, whereupon Mr. Pitt offered to share with her the abounding wealth of Britain—an offer which, through some mysterious madness, she rejected. Facts, however, are in direct contradiction to this injurious fiction. The causes which led to a consideration of the commercial relations were chiefly two: the complaints of the Irish manufac-

turers and merchants, and the action of the non-importation leagues. The former, based on the great differences of import-duties in favour of England, induced the Irish Parliament to consider the question of their revision; the latter prevailed with the English, whose trade had greatly fallen away during their existence. To these may be added a third—the prevalence of cross-channel smuggling, the current of which, flowing in the direction of high profits, carried Irish products into Britain in spite of Britain's prohibitory tariff. In salt, for instance, an essential element in fish-curing as well as in diet, there was a stirring trade all along the west coasts of Great Britain. Half a million persons in Scotland never used any other than smuggled salt from Ireland, and, as the duty was still heavier in England than in Scotland, the movement thither was brisk.[1] Again, in the articles of soap and candles, none were exported into Ireland, and none were officially admitted into Britain from Ireland, "but great quantities are certainly smuggled into all the western counties of England and Wales, and from thence by inland navigation into other counties."[2] Writers have referred to the non-importation agreements of Irish consumers as ruinous to themselves. As a general rule, however, people do not deliberately continue to injure themselves. The distress recorded amongst the artisans, indeed, is relied upon as proof; but it is overlooked that the leagues were formed because of that suffering, and to end it. English merchants, strong in capital and skill, and having their own ports guarded by high protective tariffs, were pouring their goods through the open ports of Ireland so as to overwhelm its infant industries and destroy its manufacturing projects. That it was which closed the factories and drove out the busy hands into wretched idleness. It was sought to redress the grievance in Parliament by levelling up the duties. When that effort failed, through a reluctance on the part

[1] "First Report on the State of the British Fisheries" (England), p. 14. 1785.

[2] Report of Lords of Committee of Council on Trade, etc., Evidence (England), March 1785.

of placemen and pensioners to irritate the Government, the people took the matter into their own hands. The influence of the non-importation agreement was strong and decisive. One London factor's export trade in fine cloths fell from £30,000 to £5000 a year. The Wiltshire export of superfine and second cloths almost ceased. Chester calicoes and printed cottons fell to one-seventh in the last half of 1784. The fustian trade was practically extinguished. One house, which in the last two months of 1783 exported £5000 worth, had not a single order the following year.

The truth is, as British official records show, that the Irish trade and manufactures, so far from being in a perishing condition at this period, had sprung up with marvellous vitality and flourished exceedingly. Thus the British manufacturers gave evidence that their trade in soap and candles to North America and the West Indies had "much decreased of late." "To what causes do you attribute this decrease?" asked the Lords of the Committee of Council. "We impute it," was the reply, "to the possession the Irish have now got of that trade; we export but very few candles now to the West Indies." Some idea of the progress made in Irish manufactures may be formed on learning that from 1780 to 1783, both inclusive, the general export of new drapery, or fine sorts of woollen goods, rose from 8600 yards to 538,000 yards in round numbers; and of new drapery, or coarser kinds, from 490 yards to 40,500 yards. Only 1000 yards of fustians were shipped to America in the first year, whilst 47,700 yards were exported in the last. Other Irish manufactures were pressing forward in a similar manner, and some of these products were appearing in foreign markets.[1]

This progress was made, be it remembered, whilst Britain prohibited absolutely the import from Ireland of arms, cheese, chocolate, gloves, goods of Asia, Africa, or America manufactured in Ireland, laces, gold and silver lace, silks, stockings (with silk), velvet, wrought ivory, whalebone, etc. And whilst there was an *ad valorem*

[1] Report (and minutes) of the Lords of the Committee of Council, Whitehall, 1785.

duty varying from about thirty to sixty-five per cent., besides other heavy taxes, against all Irish ale, beer, candlewick, chalk, chaises, chariots, coaches, coals, earthenware, fustians, glassware, ironware, lead, printed linens, mixed linen and cotton, manufactured leather, ox-guts, cotton or worsted stockings, toys, and wooden-ware. Irish starch need pay no *ad valorem* duty, but one hundred guineas a ton of other charges surely sufficed. A nearly equal sum kept out Irish manufactured sugar. Vinegar and cider were also barred off; and, whilst nearly £2 a yard stopped the entrance of all manner of Irish woollen cloth, a sum of £2 6s. each was charged against every Irish-made hat.

Can it be a matter of wonder that Irish manufacturers complained and formed non-importation leagues? What really does surprise the impartial observer is the amazing progress they made under such condition. Free trade in manufactures was a mere mockery, so far as it related to Great Britain, with the solitary exception of linen—and not of all kinds of linen.[1] British ports were shut against manufacturing Ireland; on the other hand, Irish ports were open to British goods. This will be readily seen from the following table, which shows the difference of duties. The idea is due to Lord Sheffield,[2] but his schedule has been

[1] Of the two pledges given, at the instance of the English Parliament, by William III. to discourage the Irish woollen, and to promote the Irish linen manufacture, the former was faithfully kept, the latter was broken. Ireland was not permitted to export her white and brown linens to the Colonies until 1705 (3 & 4 Anne c. 8). Six years later (10 Anne c. 19) a bounty of ½*d.* per yard was given in favour of the British manufacture over the Irish; the importation of checks, striped or printed linens into Britain was prohibited. This prohibition was continued against all linens printed, stained, or dyed. Cambrics and lawns were likewise excluded, for which there were about two thousand Irish looms at work in 1783. Lord Sheffield, in 1785, observed that, as regards bounties, Ireland complained of that given by Great Britain on the export of sailcloth to Ireland, and with double force as it was a branch of her linen manufacture. He admitted she would be justified in meeting this by counteracting bounties or duties, but "the British Act adds to the bounty now given as much more as at any time Ireland shall impose as a duty on the import of British sailcloth into Ireland." This was an effectual mode of repressing Irish manufacture.

[2] "Observations on the Manufactures, Trade, and Present State of Ireland." Dublin, 1785.

enlarged with facts taken from the British official reports already quoted.

Articles.	Import duties payable in England.			Import duties payable in Ireland.		
	£	s.	d.	£	s.	d.
All woollens or old drapery per yard	2	0	$6\frac{4}{10}$	0	0	$5\frac{1}{2}$
Stuffs made or mixed with wool, new drapery, per yard	0	5	$11\frac{1}{2}$	0	0	$1\frac{19}{20}$
Cotton and linen, or cotton mixed, for every £100 value	29	15	10	9	18	$5\frac{8}{20}$
Linen cloth, printed, for every £100 value	65	10	10	9	18	$5\frac{8}{20}$
Leather manufacture, for every £100 value	65	10	10	9	18	$8\frac{8}{20}$
Checks, per piece of ten yards	0	3	$11\frac{13}{20}$	0	1	$3\frac{17}{20}$
,, for every £100 value	35	15	0		...	
Sugar, refined, per cwt.	5	6	$9\frac{19}{20}$	1	13	$11\frac{15}{20}$
Starch, per cwt.	4	12	$1\frac{17}{20}$	0	6	$5\frac{13}{20}$

In other matters likewise Britain had the advantage. Thus, whilst the Irish prohibited the entrance of flour and meal from all countries but Great Britain, there was no reciprocity. "It might be a just return to them," said the English corn-factors, "to prohibit in like manner the importation of flour and ground corn from any country but Ireland," which would encourage British mills. When we look at the enormous disparity between the duties of the two countries, and consider that the British capitalists had held possession of the market, it seems a marvel that Irish manufactures should take root at all. Close study of the problem reveals that this happened because the Irish Parliament had men who seized upon the true principles of economic laws and applied them with great sagacity. They could not spend money in fostering factories and trade as England did, but what comparatively small sums they gave were more fruitful because more judiciously allotted. By this means they raised their factories from the ruins the laws had made, and by this means also their fisheries became the envy and admiration of their neighbours. The Irish bounties were not nearly on a level with the British, but "the fisheries are under no unnecessary restraints, and a 20s. bounty there is equal to a 30s. bounty on the Hebrides fishery."[1] Frequently the

[1] "Third Report on the State of the British Fisheries, House of Commons (England)," vol. x. p. 42.

West India fleet, leaving the Clyde, went to Cork to ship Irish herrings. Contrary to what some have alleged, the elder Irish population had special aptitudes in maritime matters. Men were brought from Ireland to teach the natives of Uist the manufacture of kelp from seaweed. Others were brought to the Shetlands because of their dexterity in fishing, and because they could go out two months earlier and proceed much further to sea than could the natives in their small boats. The inhabitants of Barra learned fish-curing from the Irish fishermen, who had a "Highland fishery." They went even further a-sea and established their "great fishery on the banks of Newfoundland, which," in 1785, "increases daily."[1] This was due, be it noted, to the energy and enterprise of the old natives of Ireland, who, homeless in their fatherland, poured out by the two and three thousand annually and remained abroad as residents, in spite of all discouragements. The British who went usually returned. Newfoundland was practically founded by Irish Catholics.[2] The Irish fishers were honest dealers, as well as skilled curers. Though the Irish herring-barrel contained only twenty-eight gallons and the Scotch thirty-two, the former sold "at an equal or superior price." So high stood the Irish name that their herrings sold "fourteen and a half per cent. dearer than the Scotch." They were never charged with the "fraud, perjury, and all the tricks which ingenuity could invent to rob the public"—such as partly filling barrels with stones and rubbish—which had almost entirely destroyed the sale of British herrings in European markets.[3]

The question of reducing British duties to the same level as the Irish was referred, by an order in council, January 14, 1785, to a committee. Reviewing possible plans, they concluded the best to be that both countries should agree upon a scale of moderate duties, "such as

[1] Ibid., p. 44.

[2] "Second and Third Reports on the State of Trade to Newfoundland." 1793.

[3] "Third Report" (Fisheries), Mr. J. Knox, p. 45. 1785.

will secure a due preference in the home market," of the products of each, "yet leave to the sister kingdom advantages, though not equal to its own, yet superior to those granted to any foreign country." This was clearly fair and wise; but it must astound those who have been taught to consider the Irish irrational and intractable in matters of trade to learn that the Lords of the Committee, in looking about for a proper standard, fixed upon the Irish scale. "The duties now payable on British goods imported into Ireland," they wrote, "seem by their moderation as well adapted to answer this purpose as any that could be devised."[1]

After much consideration, Mr. Orde, chief secretary, brought the basis of a commercial treaty before the Irish Parliament on February 7, 1785, in the form of eleven resolutions. They ordered: the admission of foreign articles through either country as if directly imported; the abolition of prohibitions and the equalisation of duties—these to be levelled down; the regulation of internal duties in due proportion; and the abolition of bounties on goods intended for either country, except food-stuffs. The last, or eleventh, proposition attracted special attention. It provided that, whenever the hereditary revenue (during peace) produced more than the sum of £656,000, the surplus should be appropriated to the support of the navy. One member objected to this as making Ireland a tributary nation, but withdrew his opposition on finding that the grant was under Irish control. Mr. Grattan further amended it by stipulating that it should be accorded only in years when income equalled expenditure. His principles were—"After the expense of the nation is paid, to contribute to the general expense of the empire;" to interest ministers in economy by this stipulation, and to subject the surplus to the control of the Irish Parliament. Notwithstanding adverse petitions from the Chamber of Commerce and some merchants, the proposals were accepted with but little demur, Mr. Forbes remarking that "no Government ever received a milder opposition."

[1] Report of the Lords of Committee of Council, 1785.

The Irish Parliament thus, contrary to some shameless statements, showed itself willing and anxious to come to a fair and final adjustment on the commercial, as it had done on the constitutional, question. Grattan helped; Flood criticised, but did not resist. All would have ended harmoniously had it not been for the battle of parties in the British Parliament. On February 22, Mr. Pitt introduced the proposals to the Commons in committee. After a general review of the subject, he said there were but two systems possible for the two countries. One, to make the lesser subservient and a draw-farm to the greater, they had tried; the other, a system of equality and fairness, with participation of benefits, he proposed to try. The concessions might be reduced to two heads. First, the importation of colonial produce through Ireland into Britain. This seemed to infringe the venerated navigation laws, but really mattered nothing; Ireland could import such produce direct already, and Britain could more cheaply have it direct than through Ireland. The second was a mutual exchange of products and goods on equal terms. In return, Ireland paid over her surplus to the general expenses.

The Coalition party, now greatly beaten down, showed no large-minded desire to assist a settlement. Quickly perceiving that the sensitive jealousy of British trade might be roused against Pitt, Lord North, Mr. Fox, and others, spoke in prompt hostility. Fox intimated that, though he admired Ireland, he did not wish to see her made sole arbitress of the laws of navigation. Their speeches helped to inflame the country and stir up scores of petitions. Apparently, Mr. Pitt was in no hurry to press the matter forward; he give time for declamation. In Dublin Mr. Orde had refused a day's delay; in London weeks and months were allowed to pass. If the minister had designed to divide the Irish from the English Whigs, he would have acted thus. The report of the Lords of the Committee on trade and plantations, though presented, was discredited; fifty-four petitions supported the opposition. Pitt, on May 12, brought forward a revised series of propositions, almost double the number of the old. Three grave changes

were made. It was stipulated that all trade or navigation laws which had been or should be made by the British Parliament, should also be enacted by the Irish Parliament; that nothing but colonial produce should be transhipped through Ireland into Great Britain; that, so long as the British Parliament wished to have commerce carried on beyond the Cape of Good Hope by an exclusive company, dealing through the port of London, so long should Ireland be debarred from dealing direct with any country whatever beyond the Cape and the Straits of Magellan. If Pitt had intended that the odium of enforcing alterations should attach to the opposition, they were resolved, on the other hand, he should not escape obloquy. Pointing out to the English that by altering his Bill he justified their action, they held up the manner of the modification to the reprobation of British Whigs, and to the alarm and hatred of the Irish nation. The new conditions, requiring the Irish Parliament to pass any trade or navigation Act the British legislature had made or might make, and to shut itself off from all direct trade beyond the southern Capes, as long as an alien Parliament pleased, were manifestly incompatible with Irish liberty. Fox denounced them. "I will not barter English commerce for Irish slavery!" he exclaimed. "This is not the price I would pay, nor is this the thing I would purchase." Sheridan, following, compared Ireland to a high-mettled horse, recently escaped from harsh trammels, whom the secretary strove to catch, "with a sieve in one hand, but with a bridle in the other ready to slip over his head." "There was to be," he said, "an eternal boom placed against Ireland, from the Cape of Good Hope on the one hand to the Straits of Magellan." The opposition declared that the ministry, justly censured for their violence, their attacks on the freedom of the press, and on the rights of public meeting and personal liberty in Ireland, had sought to compensate insult by imprudent concession. They now sought to retrieve their attack on English commerce by fettering the Irish Parliament. In the Lords something was said about a final settlement hindering a union,

which revealed that the ministry had ulterior objects. Lords Shelburne, Townsend, Derby, Fitzwilliam, Plymouth, Northington, Scarborough, and Keppel recorded their protest.

When the new proposals were brought before the Irish Legislature on August 12, the denunciations of the English opposition heralded them. Grattan summed up the case by stating that they involved "a surrender of trade in the east, and of freedom in the west." Attorney-General Fitzgibbon threw in a sectarian brand, warning Parliament of a Popish population and Popish neighbours; but the old spirit was aroused, and material interests were at stake. The popular minority swelled to double its usual number, one hundred and eight members voting against leave to introduce the Bill. There was a majority of nineteen; but at that stage it meant defeat, and Mr. Orde allowed the Bill to drop, for, on canvassing the House, he discovered he would be beaten.

Public illuminations attested the fidelity of the people to their independent constitution. Whatever divisions, fostered by official arts, had arisen amongst the volunteers on the question of toleration, and between them and Parliament in reference to reform, were closed by the flagrant attempt to profit by their dissensions. When Parliament rose, the manufacturing population renewed, enlarged, and enforced their non-importation league; several new counties supported the capital; the military were posted in the streets; and the viceroy became markedly unpopular.

Ireland fell under Mr. Pitt's displeasure. Until the French revolution shook the world, and war again threatened Britain, he left the Irish Government practically in the hands of a petty oligarchy, whose policy was to resist reforms, maintain abuses, and augment its own power and importance by every method. Everything was acceptable which might serve to strengthen the central executive, to extend its sphere of patronage, and to divide, depress, and disarm the popular power. The session of the Irish Parliament in 1786 opened without a promise of reform,

but with a reference to a new police force and a vigorous execution of the laws. This was based upon allegations of outrages which members demonstrated to be exaggerated or untrue. Sir Edward Crofton, alarmed for his property in Roscommon, where the Catholic peasantry were said to be in rebellion, made inquiries, and found "that the peace of the county was not for a moment disturbed."[1] Rumours of Popish plots, peasant insurrections, revivals of old Irish claims to estates of the later colonists, went forth from time to time; they served to frighten the timid, and make them gather into the Castle coverts.

Advocating economy, the patriots pointed to a swollen pension list of £94,000, greater than England's by £4000; to augmented taxes and an increasing debt. The expenses of a nation, they urged, should not exceed its income. The attorney-general scoffed at the notion; "No Government ought to be tied up."[2] "Will the minister of Ireland," Hardy asked, "the delegate of Mr. Pitt, give us Mr. Pitt's reform neither in representation nor in finance?" In England, ministers disabled persons holding pensions "during pleasure" from sitting in Parliament; in Ireland, Government kept them there. It even gave similar pensions to their male and female relatives, so that an independent vote should make a whole family destitute. The British Cabinet had limited the English pension list; in Ireland a similar motion was denounced by the attorney-general as "going on the most dangerous principle ever introduced"—"an attempt to rob the Crown of its responsibility." The principles of the constitution, the laws of England, were held to savour of treason in the judgment of the Castle oligarchy.

By a new police Bill the power and patronage of the Executive were augmented. The patriots desired to amend

[1] "It was also rumoured that the Roman Catholics were in open rebellion This was an insidious, infamous, and false report; . . . it was an illiberal and an infamous attack on a people distinguished for their peaceable demeanour" ("Parliamentary Debates," vol. vi. pp. 338, 339).

[2] "Parliamentary Debates," vol. vi. p. 124.

the tithe-system, which bore oppressively on the small tillage-farmers, and produced secret societies. Officials like Lord Luttrel denounced the exactions of the clergy, their tithes being sometimes 28s. per acre. Mr. Montgomery, of Donegal, declared their extortions had driven 100,000 people out of the kingdom. Denis Browne doubted if the Whiteboys had done more harm. The Castle officials rejected all reform, and carried instead a sanguinary law, with "blood" and "felony" in every sentence, as Grattan said.

When the Duke of Rutland died in October, the administration could boast of having rejected every reform; repudiated even the distant promise of redress; passed two coercion Acts, extending their powers of corruption; and of having, in that one year, augmented the pension list by £8750.[1]

The Marquis of Buckingham, who succeeded, appeared in a double character. Because of his loyal attitude, as Lord Temple, on the renunciation and judicature questions, and because of his reported antagonism to abuses and pensions, he was at first favourably received. But it quickly became evident that the hostile policy of the previous administration would be continued. The subject of tithes was revived by an official motion to grant compensation to clergymen for tithes withheld; they were also granted a perpetual tithe of 5s. an acre on hemp. More pensions were given; existing pensions were jobbed, sold, transferred to other and younger persons; members of Parliament were again granted pensions "during pleasure." The pension list on January 1, 1788, had swollen to £96,289, exclusive of military pensions and additions to salaries. Gross scandals were exposed; but the Government refused to permit any redress. Mr. Connolly moved for a return as regards hearth-money, long abolished in England. The administration rejected even an inquiry.[2] On April 14 Grattan submitted eight eminently

[1] "Parliamentary Debates," vol. viii. p. 8.

[2] Mr. Connolly said he understood their reluctance to investigate, because of the frauds arising from patronage which would be exposed. Was it not

practical resolutions for the modification of the tithe system. The justice and moderation of the proposals could not be gainsaid; they were, therefore, simply met by a measure which kept them out of the Journals of the House—the premature prorogation of Parliament in the middle of April. This was a ready means of stopping all progress, and extinguishing even the hope of reform.

Public corruption could not exist without private depravity within the official domain. The Governmental system of appointing to places political renegades or their bribe-giving *protégés* had filled the official departments with the dregs of the Ascendency. They had been promoted because they had been unscrupulous, and they carried the quality which had gained them Government's favour into the Government's service. The Duke of Buckingham suddenly came down upon the minor offenders, seized their keys, and demanded a rigorous account. Panic, flight, and suicides followed.[1] This was a meritorious raid, no doubt; but, considering the conduct of the viceroy himself, it rather resembled the raid of a great wolf on a pack of little foxes.

It must not be inferred, from the existence of local oppression and suffering, that there was a general depression. On the contrary, the country was generally prosperous; this fact was declared by the chancellor of the exchequer, who gave satisfactory proof of his veracity by introducing a Bill to reduce interest from six to five per cent. Manufactures abounded, and all the occupations dependent on them flourished. Dublin assumed the appearance of a thriving metropolis, at once a hive of industry, a home of arts and learning, and a haunt of fashion. Many absentees were drawn back by the attractive life of the brilliant Irish capital. Its stately and

well known, when a gentleman solicited from the minister a hearth-money collection, that instead of £40 a year, its nominal value, he considered it worth from £100 to £200 a year? and whence did that arise, but out of the plunder of the people, already too wretched, by taking indulgence money, and by afterwards taking their pot, their blanket, and at last their door, and making what return they thought proper to the public treasury?

[1] Plowden, "Historical Review," vol. ii. p. 199.

spacious avenues, new-paved, and lighted with improved lamps having double burners, were crowded with the splendid equipages of a profuse aristocracy and gentry. The magnificence of the public edifices was rivalled by the beauty of private mansions, on which the art of Italy was lavished, as well as the trained skill of Ireland. Leinster's ducal palace was taken as a model for the White House of Washington. Chimney-pieces of the period are even still ripped out of old houses in decayed streets, and fetch enormous prices in London marts. Whilst a viceroy had established the order of the Knights of St. Patrick to divert the minds of the nobility from "speculative subjects," Lord Charlemont founded the Royal Irish Academy for the encouragement of science, polite literature, and the study of antiquities. The Irish Parliament gave it a generous grant; and by liberal subsidies, encouraged the Dublin Society to foster and develop the industrial arts and improve the agriculture of the island.

Not only did the provincial cities share in the general good fortune, but, in various rural places, medicinal spas came into vogue and attracted a fashionable concourse in the season. Field sports were a common passion, and hospitality a universal virtue. Nor should it be inferred, from the grievances mentioned, that the state of the peasantry was inferior to what it has been of later years. It is no exaggeration to say that in some respects it was superior.[1]

This statement is fully borne out by the recorded regular and rapid increase of agriculture, owing to which, in the account of the interchange of cereals with Great Britain for the ten years following 1780, Ireland had a balance in her favour of nearly £1,500,000, according

[1] Freehold leases (commonly leases for lives and thirty-one years) were universal amongst Protestants, and were extended to Catholics when then obtained the electoral franchise. The landlords generally desired to appear at the head of a prosperous tenantry, especially during the time of the volunteers. "I well recollect," wrote the late Lord Rosse, "the glowing terms in which several old people were wont to speak of the plenty in their younger days bread, meat, and the best of ale being the ordinary peasants' fare" (Lord Rosse, "Relations of Landlord and Tenant," 1870).

to the English official statement.[1] This was due to a well-arranged system of bounties, which, controlling the cost of inland carriage, brought the market to the farmer's door, and, securing him a constant home demand, gave encouragement to create a surplus for export. The bounty system was better devised and carried out with more effective care in Ireland than in Britain. Whilst British witnesses complained of the frauds, perjuries, and scandalous abuses which, during the entire existence of the Irish Parliament, destroyed the repute of British-cured herrings abroad, they testified that the Irish article always fetched a much higher price because of its unimpeachable character.[2] The Irish exports of beef and bacon were similarly esteemed for their excellence. The English inspector-general of imports and exports quoted the wisdom and sound policy which led Virginia and Maryland to suffer no tobacco to be exported which had not undergone thorough inspection. "The same system of policy," he added, "has been adopted in Ireland, with respect to beef and pork; and I believe both countries are in no small degree indebted to this regulation for the superior quality, character, and price which their respective staple commodities bear in every part of the world."[3]

[1] "Parliamentary Debates," vol. xi. pp. 424 *et seq.*

[2] "Reports on British Fisheries," vol. x.

[3] "Reports from Committees on the State of the British Herring Fisheries," vol x. Minutes of evidence of Mr. J. Irving, inspector-general of the imports and exports of Great Britain, June 1798.

III

THE REGENCY QUESTION

In the autumn of 1788 the king's mind gave way; in the beginning of November, his insanity could no longer be concealed. The British Parliament met on the 20th, but was adjourned till the first week of December, when the great question of the regency came on. Recognition of the Prince of Wales as regent meant the dismissal of Mr. Pitt, and the accession to power of Mr. Fox and the Whigs. Under these circumstances, it was perhaps natural, if not edifying, to find the Tory chief resorting to Whig, even to Radical, principles; whilst the Whig leader adopted Tory views for the nonce. Mr. Pitt declared that the Prince of Wales had no more right to assume the regency than any other subject; Parliament might appoint whom it pleased, Mr. Fox first asserted that the prince had the same right to sovereignty as if the king were dead, and that Parliament could only state the period when his power began. Laying aside that theory, he afterwards maintained the view that the heir-apparent had a legal claim which, when adjudicated by Parliament, became a sovereign right, not confined by limitations. Lord Loughborough (who had given his written legal opinion that the prince should assume the regency without Parliamentary sanction)[1] pointed out that, if the British Parliament could appoint any person besides the heir-apparent, a like course was open to the Irish Parliament, so that there might be two regents. The question of right was ultimately waived, and the question of procedure entered on. Mr. Fox and Lord Rawdon proposed that an address of both Houses should be presented to the prince, praying him to take upon himself, as regent,

[1] Campbell, "Lives of Lord Chancellors."

the administration of the executive Government, in the king's name. This would have made him regent without restrictions; but Mr. Pitt wanted restrictions. He proposed to proceed by Bill. The restrictions forbade the regent to create a single peer (except such of the royal family as came of age); to grant any office in reversion, or any pension or place for life, except such as were by their nature life-places.

In Ireland, the intelligence of the king's malady caused great political excitement. It was hoped that an arbitrary and odious oligarchy would be thrown out of power. During and after November, in anticipation of a general election, associations of electors were formed, bound not to vote for any candidate who should not pledge himself to their test; namely, a percentage tax on the property of absentees, a settlement or commutation of tithes, restoration of the sailcloth manufacture, protective duties, a limitation of the pension list (then £8000 above the English list), and reform in the representation of the people.[1] Grattan and Charlemont, who had been in communication with the English Whigs, were assured that the incoming Whig administration would grant the required redress of grievances. The Castle, however, had orders to obtain a majority for the registration of Pitt's decision. Urgent efforts were made to bribe and intimidate. British gold was ready to flow in; offers of place, pension, and dignity were thrust on members for acceptance. Curran was offered a judgeship, with prospect of a peerage.[2] He rejected the offer on principle, and stood not alone. The great landed interests, the Duke of Leinster, Lords Shannon, Tyrone, and others, took up an independent attitude. The Ponsonbys left the viceroy. Ministers convened Parliament on February 5, 1789, but were beaten by a majority of 128 to 74 on an amendment of Grattan's, fixing an earlier day for the consideration of the regency question than ministers had proposed.

[1] Plowden, vol. ii. p. 228.

[2] "Curran's Life," by his son, vol. i. p. 240. 1819.

The subsequent action of Parliament has been strangely misread, as something peculiarly Irish and antagonistic to Britain. In simple truth, it was the British battle transferred to Dublin, with the Whigs made triumphant. The secretary, Mr. Fitzherbert (Lord St. Helens), officially proposed Pitt's mode of procedure—a Bill with restrictions. Grattan declared that the two Houses could always proceed by address, but a Bill, involving legislation, supposed a third estate, ready to act, and that estate was then incapable. By address the regent might be appointed, and by subsequent Act his power could be circumscribed; the office should last during the king's illness, but with plenary regal power. The attorney-general objected to this, on the plea that they should follow Great Britain implicitly in imperial matters, with a warning threat that difference might "drive them to a union," and that "sober men, who had estates to lose, would soon become sick of independence." Yet he declared he abominated the idea of restricting the prince regent in making peers and grants; such a difference he was ready to endorse, and to accord the plenitude of power, but "in God's name let it be done by Bill." Stranger still, the secretary of state himself arose to declare that he dissented from his colleagues, and considered that the appointment should be made by address, and could not be done by Act of Parliament. Thus the action of the Irish Parliament was in complete conformity with the convictions of the English Whigs and had the sanction of the Tory secretary of state for Ireland.[1] It was far more consonant with sound constitutional doctrine than the views either of Fox or of Pitt.

The viceroy, however, refused to act. In this crisis the Irish Parliament proceeded with a grave dignity worthy of the occasion; it adjourned, in order that nothing should be said hastily. The viceroy's conduct was subsequently censured, whilst a committee of Lords and Commons was appointed to present the address to the prince which Parlia-

[1] Ten years later, to ensure perfect harmony, the patriot party proposed a Bill enacting that the Regent of England should, *ipso facto*, be Regent of Ireland.

ment had prepared. There was some danger of the Parliament being prematurely prorogued. Hence Grattan proposed a short money Bill of two months. The attorney-general, fuming with rage, blurted out his recollection of a previous prorogation, and his remembrance that, when Parliament next met, it had voted the Lord-Lieutenant[1] an address of thanks, which (as virtually admitted) had cost the nation half a million of money. With oblique innuendo, readily understood, he added that he would oppose measures "which might lead to an address that would cost them half a million."

His conduct throughout the debates was characteristic of the administration which drove the country into revolt. Adverting to the round robin, by which members of both Houses strove to guard their Parliamentary independence from executive punishment and corruption, he outrageously denounced it as Whiteboyism, and insultingly declared that outsiders guilty of it would be flogged. Nor did he fail to fall back upon the insecurity of the Act of Settlement, in order to frighten the estated men of Ireland. His language was that of an incendiary. Affecting for the occasion a sentiment of historic justice, he declared that "the ancient nobility and gentry of this kingdom have been hardly treated. The Act by which most of us hold our estates was an Act of Violence, an Act subverting the first principles of the common law in England and Ireland. I speak," he said, "of the Act of Settlement; that the gentlemen may know the extent to which that summary confiscation has gone, I will tell them that every acre of land that pays quit-rent to the Crown is held by title derived under the Act of Settlement." It is evident that one of the methods of misrule, then and long afterwards current, was the unscrupulous art of sowing fears and dissensions between different classes of the community.

The Speaker, on March 2, 1789, communicated the gracious reply of the prince to the delegates, which contained news of the king's recovery. The administration regained its majority, bribed unblushingly, and carried out

[1] Lord Townshend.

its scheme of coarse revenge against the independent members. Three earls were made marquises; four viscounts earls; two lords viscounts; seven commoners lords. Amongst these was Mr. Stewart, so prominent amongst the volunteers, now Lord Londonderry. Fitzgibbon, now a baron, was appointed lord chancellor. Vengeance, on the other hand, struck from office the secretary, Fitzherbert; the Earl of Shannon, vice-treasurer; the Duke of Leinster, master of the rolls; the two Ponsonbys, and eleven other independent gentlemen. Their offices, worth £20,000, were taken from them and conferred on pliant creatures of the Castle. Furthermore, the pension list was burthened with £13,040 more.[1] Nor was this all; by splitting up offices, creating or enriching sinecures, endowing nominal posts, an additional charge of £2800 a year was imposed. Then, in June, having accomplished his work of infamy, the king's viceroy left the country, like a conscious criminal, taking by-ways, and stealing off from a private gentleman's villa near the capital.

As a criminal he was denounced when Parliament met, in January 1790, with Lord Westmoreland as viceroy. Grattan, on February 20, took a bold step. Reciting the instances of corruption, he observed that these supplied grounds for dismissing the guilty ministers, not for personal punishment. But they had gone further. The sale of honours was one impeachable offence; the Duke of Buckingham, in the reign of Charles I., had been impeached for it in England. Worse still had been done in Ireland; money arising from the sale was applied to model the House of Commons—another impeachable offence. He therefore moved for a committee of investigation. "We pledge ourselves to convict them," he said; "we dare them to go into an inquiry. We do not affect to treat them as other than public malefactors; we speak to them in a style of the most mortifying and humiliating defiance; we pronounce them to be public criminals. Will they deny the charge?"

They could not, in truth, deny the charge; they tried to

[1] Commons Journal, vol. xiii. Appendix, p. 271.

parry its effect by showing that Lord Northington had acted nearly as badly before them. They escaped its consequences by bringing up their corrupted phalanx of a hundred and forty-four to vote against the eighty-eight independent members who supported it. Grattan, in a previous debate, had lamented the absence of ministerial responsibility, and referred to the case of Strafford. "Sir," he had said, "you have in Ireland no axe, therefore no good minister." With a responsible ministry, he would have been able to hold the majority gained on the regency question; without it, the reactionists carried the day, and now, covered with corruption, as with a leprosy, they stood before the people as their rulers.

IV

THE FRANCHISE ACT OF 1793

To poison the founts of honour and legislation, as the Government had notoriously done, necessarily entailed a paralysis of their influence. Many of the more ardent minds turned away in hopeless disgust, and began to look in other directions for redress of grievances and a purification of Parliament. The example of the American Republic seemed to realise an ideal of a clean Government, formed by the people, and now the great tidal wave of popular liberty had rolled back upon the old world and swept the Bastille and the system it typified from the soil of France. Through the conduct of their Governments, the inhabitants of Ireland have been rendered always keenly susceptible to foreign influences, and at this period the ideas and actions of the French excited the utmost interest and sympathy. This feeling prevailed not so much amongst the kindred Celts of the southern provinces as amongst the Protestant artisans of the capital and the Dissenters of the north, where the seed of republicanism germinated readily. The time was one of organisation; the people began to group together in association; clubs were formed and multiplied. The Parliamentary opposition, not yet despairing of their methods, supplemented their work within the chambers by that of the Whig Club without, founded in June 1789, and intended to be the rallying centre of Irish Liberals, whilst keeping in touch with the English Whigs. The list of members was representative of colonial Liberalism.[1]

[1] The club included one archbishop (Tuam), two bishops, fourteen noblemen, Chief Baron Yelverton, and many commoners of position—all pledged to the cause of reform, and bound by the following declaration:—"And we

Parliament was dissolved in April 1790, and the new assembly met in July for a fortnight. Notwithstanding their energy, the patriots had been unable to add much to their strength, returning with little over four score—all the menaced minions of the Castle having fought desperately for their mess of corruption, backed by the entire influence of Government. When Parliament opened in January 1791, every motion for reform was resisted by the Government, and beaten by the brute force of its mercenary phalanx.

Outside the precincts of Parliament, other and greater forces were at work. It is calculated that the Episcopalian colonists, at this period, formed but one-tenth of the population, whilst possessing five-sixths of the land, and monopolising the Government. A small section only of these were Whigs. The Dissenting colonists, chiefly found in Ulster, were twice as numerous. Subject to various restrictions, less wealthy and more democratic, their aspirations went beyond the circle of aristocratic Whiggery. Outside the pale were seven-tenths of the population of Ireland, the elder natives who professed the Catholic faith. "The Catholics," wrote Thomas Addis Emmet, "loved Ireland with enthusiasm, not only as their country, but as the partner of their calamities. To the actual interference of England, or to its immediate influence, they ascribed their sufferings, civil or religious, with those of their forefathers. Hereditary hatred, therefore, and sense of injury had always conspired with national pride and patriotism to make them adverse to that country, and enemies to British connection."[1] Their peasants were racked and ground to the dust; but several, by excessive parsimony, had accumulated money, chiefly in cattle-dealing. Their fishermen were active, and some earned profits as "fair traders;" whilst their merchants grew

further declare that, as far as in us lies, we will endeavour to preserve to this country, in all time to come, a Parliament of her own, residing within this realm, and exclusively invested with all Parliamentary privileges and power" ("Memoir of Grattan," vol. iii. p. 435, note).

[1] MacNeven's "Pieces of Irish History," Essay by T. A. Emmet, p. 12. Dornin. New York, 1807.

wealthy by their enterprise and superior knowledge of foreign countries, to which their sons were forced to go for education. Some nobles still remained amongst them, but they belonged chiefly to Anglo-Irish families, never very patriotic, and now subdued in soul. The high-spirited nobles and chiefs of the old nation could not brook the penal code, but sought the Continent, where, in Spain, France, Italy, Russia, Prussia, and Austria, they rose to the highest positions as soldiers and statesmen to which subjects might attain. Nay, in the New World they gave viceroys to Chili, Peru, and Mexico; and, for a season, governors to the captured isles of Grenada, St. Eustatia, and St. Christopher. They gave the United States army its first quartermaster-general, and their navy its founder and first commodore.

Seven-tenths of the people though they were, they could not prevail on a single member to present a petition, however humble, to Parliament in 1790. Their committee, now a score of years old, with sturdy John Keogh at its head, resolved that, since neither Castle nor senate would deign to listen, they should turn their attention to the masters of both in London. Keogh returned from London with news that justified his action: Mr. Pitt's ministry would not object if the Irish Parliament should open to Irish Catholics the profession of the law, or render them eligible to be county magistrates, grand jurors, or sheriffs. Further, the general committeee, on January 14, 1792, struck Lord Kenmare off the list of the Parliamentary sub-committee. Lords Fingall, Gormanstown, and others, to the number of sixty-eight, were induced by the Castle to publish their resolutions (which had been negatived in committee); but the Catholics, in nearly all the towns and counties, rallied to the support of their committee. This caused a general discussion of the question at issue, and Protestant reformers saw, with surprise and pleasure, that the Catholics whom they had regarded as passive instruments in the hands of their superiors, were the first in the field of democratic action.[1]

[1] MacNeven's "Pieces of Irish History," Essay by T. A. Emmet, p. 23.

The intimation from London was effective. Sir Hercules Langrishe, always an enemy to the penal code, and now a confidant of the Government, introduced a timid bill on February 4, which opened the bar, to the rank of king's counsel, and permitted intermarriage with Protestants if celebrated by a Protestant clergymen; but if a Protestant married a Catholic wife, he should still be disfranchised, and if a priest celebrated, he should still be subject to the penalty of death, and the marriage annulled. Catholics needed no longer to seek permission from the Protestant clergyman to teach a school, and might take apprentices. By the organ of their committee, however, the Catholics asserted their claims to better terms. Belfast petitioned in their favour; but Parliament contemptuously rejected both the petitions. During the debate, Colonel Hutchinson testified that Mr. Byrne paid £100,000 a year duty to the revenue, Mr. Egan that other signatories were among the foremost merchants of the city; and it has been estimated that the Catholic Committee represented at least one million of money.[1] Langrishe's Bill was read a third time on February 24, 1792, and passed. It could not content a population desiring freedom. The Catholic committee, nothing daunted by the rejection of their petition, nor dismayed by the storm of abuse directed against them, by directions from the Castle oligarchy, through corporations and grand juries, on behalf of the Protestant Ascendency, pressed forward with courage. They spent money liberally, engaged the best talent to be had, having the good fortune to enrol as secretary, first Richard Burke, son of Edmund Burke, and then a briefless young barrister, named Wolfe Tone, subsequently made famous by his organising ability, literary genius, and advanced

[1] The possession of wealth by the Catholics had in previous days helped to liberalise the laws as regards land-letting. Just before 1769 exchange rose to ten per cent.; merchants could not get their bills discounted. "Gentlemen of estates labour under great difficulties in raising of money upon landed security, insomuch that they began to think of relaxing some of the Popery laws, with respect to allowing Papists to take real or landed securities under certain restrictions, to induce them to bring money into the kingdom" ("A List of Absentees," etc., Faulkner, p. 40, note. 1783).

patriotism. They obtained declarations from the Catholic universities of the Continent, demonstrating the falsity of the doctrines imputed to Catholics by their foes. They published a digest of the Popery laws, drawn up in plain language by the Hon. Simon Butler, which rudely portrayed the rack on which the Catholics were still tortured, in every phase of life. Take the right of self-defence, for instance, the law forbade it to the Catholic. An Irish Catholic might rise abroad to be field-marshal (a rank which seven did attain in Austria): if he landed in Ireland, he could not wear a sword—a Protestant beggar might pluck it from him in the street; the house in which he lived might be searched by day or by night. His Catholic host or hostess might be summoned to inform on him; if they refused they were subject to £300 fine, or flogging and the pillory, if noble; if not noble, to £50 fine and a year's imprisonment, if not flogged. For a second offence they were outlawed, and their goods forfeited. Raids for arms were being continually made, in parts of the country, owing to the existence of this law, so that it was not obsolete.

The Catholics, in the midst of all the uproar, called a convention, voted at elections of delegates throughout the country, and held, for the first time since the Revolution, a public meeting, in a hall too small for their numbers, all larger ones being refused them.[1] "All the speeches on that occasion," observes Emmet, "but particularly the able and argumentative declamation of Mr. Keogh, the classic and cultivated eloquence of Dr. Ryan, filled their Ascendency opponents with mortification and surprise."[2] The convention concurred with their Ulster allies in adopting resolutions asking for complete repeal of the penal code, and it resolved to send to the King in London an address, which was signed by Archbishop Troy on behalf of the bishops, for the policy of the committee had triumphed. The committee appointed their

[1] Hay, "History of the Irish Rebellion."
[2] 'Essay on Irish History," p. 34.

own delegates. Tone, a Protestant, accompanied them as secretary.[1]

The Catholic deputation, on their way to London, were induced to make a *détour* through Belfast, by the fervour of their northern sympathisers. There an occurrence took place marvellous to minds who know that town's later history of discord and bloodshed. The principal Protestants of Belfast called upon the Dublin delegates to welcome them, and as the Catholic deputies were departing, the Protestant populace took the horses from their carriages, and drew them through the streets amidst the most intense enthusiasm. The Catholics responded with deep delight, and pledged themselves to maintain that fraternal union which was the strength and honour of Ireland.[2] Grattan was in London, working in their cause. He found that the Dublin oligarchs had written over to prejudice their case, by declaring that the Catholics were armed and in a state of rebellion in Ireland. However, he believed that, owing to the condition of Europe, the ministers would yield them their own terms.[3] Hutchinson, Forbes, Curran, Doyle, and Lord Moira especially, gave welcome aid. The British ministers, instead of giving a rebuff, as the Castle wished, showed them favour, and the King himself received them most graciously.[4] The former were probably not unwilling to appear to assume the *rôle* of protecting friends; and the latter hoped that the Catholics would, as in France, form a barrier to the revolutionary or Jacobinical spirit of the time.

When the Irish Parliament assembled in January 1793, the viceroy was obliged to state that he had it in particular command from his Majesty to recommend them to

[1] Major Edward Sweetman, another Protestant, sat upon the committee as a delegate, elected by the Catholics of Wexford (Ibid., p. 40).

[2] "Essay on Irish History," p. 40.

[3] Memoirs, vol. iv. p. 73; Plowden, vol. ii. p. 388.

[4] The Catholic Committee, on the return of the deputation, voted £2000 for a statue to the king; £1500, with a gold medal value thirty guineas, to Wolfe Tone; £1500 to W. Todd Jones; £500 to Simon Butler for his Digest; and a piece of plate, value one hundred guineas, to the Catholic delegates, who had refused to accept their expenses (Plowden, vol. ii. p. 393).

consider measures for the promotion of concord; and, as one, to give a serious consideration to the situation of his Catholic subjects. The order from London went like an electric shock through the whole Ascendency faction, from the viceroy, the lord chancellor, the secretary, and Mr. Speaker Foster, down to the no-surrendering corporators. It paralysed every objection, silenced every braggart, and all, with more or less grimacing, swallowed the proposals they had pledged life and fortune to resist. The secretary himself, who, a year ago, spurned the petition of the Catholics for the franchise, now, wheeling round like a puppet, made a speech, offering them—(1) the electoral franchise; (2) the right of voting for civic magistrates; (3) the privilege of becoming grand jurors; (4) that, sitting as petty jurors, they should be no longer challenged for faith, when a Protestant and Catholic were in litigation; (5) the power to endow a college and schools; (6) the right to carry arms, when possessed of certain property; (7) the right to sit as magistrates, and to hold civil and military offices and places of trust under certain qualifications. They were enabled to take degrees in the university, and to occupy chairs in colleges yet to be founded. Duigenan, a rancorous renegade Catholic, and Ogle, were the only members who opposed the introduction of the Bill.

By a consistent continuance in this new policy of reform, Pitt could have rendered Ireland the stronghold of the empire. The Irish Brigade had ceased to exist as a separate entity in 1791, when the National Assembly placed it on the same footing as the French regiments. Afterwards, some of the Irish officers placed their swords at the service of the Republic; but others, adhering to the fallen dynasty, emigrated, and were granted British commissions, and a new brigade of six regiments was formed. The clergy were alarmed at the excesses on the Continent, and displayed their abhorrence of "French principles." For the Irish Catholic nation the attraction of France diminished, and might have died out had the Dublin Parliament been allowed or induced to reform itself. Prince Charles Edward had ceased to exist, and

with him the Jacobite hopes, whilst a friendlier feeling grew up towards England and George III. The Dissenters and Protestant reformers desired to grant at once to the Catholics all they could wish. Thus to content and confirm the alliance of over nine-tenths of the inhabitants, nothing was required but perseverance in a wise and honourable policy. Such a policy, to be effective, should not have been obviously dependent on the caprice of ministers, but should have been allowed to operate as a principle through the organ of a purified Parliament. As it was, the reformers gained some points. The Responsibility Bill was passed, bringing the signatories of money warrants under control of Parliament. The King could no longer dispose of the money alone, and the so-called hereditary revenue was voted annually. The Pension Bill was passed, excluding from Parliament all future pensioners at will or for years, and making the total amount reducible to £80,000, from the sum of £120,000, to which corruption had raised it. The Place Bill was passed, excluding revenue officers, and vacating the seats of members who should henceforth accept Government situations. These Acts had long been secured in England, and long demanded in vain in Ireland. In Ireland, improbable as it might seem, the purificatory Place Act was perverted to the promotion of corruption. With these was enacted Grattan's Bill to encourage the reclamation of waste lands by exemption from tithes for seven years.

But the old Ascendency junto, at the Castle, were not done with. They had tried their worst to mislead, prejudice, and alarm that Cabinet, and being defeated, they resented that defeat.

They immediately endeavoured to justify their position by methods now old, but not forgotten. They obtained, in 1793, from a secret committee of the Lords (duly packed), a report against armed volunteers, conventions, and Catholic committeemen, whom it sought to mix up with agrarian rioters. No project on the latter plea could be carried out, owing to the King's action. But they opened their mines against the volunteers by a Gunpowder

Bill,[1] which not only forbade the importation of arms and ammunition (its ostensible object), but the removal or keeping of gunpowder, arms, and ammunition without a licence (its real object). The Convention Act was passed to stifle all organised expression of popular desires, and, by gagging grievances, it converted reformers into conspirators. This was ever a triumph of policy, for then the adversary could be meritoriously killed. A military display being required, the army had been raised to twenty thousand men, and a militia Bill passed to produce sixteen thousand. The corrupt and oppressive manner in which the latter Bill was carried into force caused widespread discontent and considerable rioting; and this was added to by sectarian disturbances in Armagh, fomented by partisans of the junto.[2]

[1] 33 Geo. III.

[2] Plowden, vol. ii. p. 201; Madden, "United Irishmen," first series, cap. iv.

V

THE OLIVE BRANCH—LORD FITZWILLIAM

THERE came a rumour of glad tidings to the troubled country. The Castle junto which had misruled the people and discredited the Government was to be displaced,[1] the viceroy removed, and a representative ministry once more to occupy the Castle. Several causes contributed to the change. The statements of the junto had been so completely falsified that no weight could attach to their opinions, whilst their rule was not producing peace, but irritation. Penal laws had been repealed, but the victims were still made "to experience many of the evils of a proscription," through "the ill-disposition of the magistrate."[2] It was urgent that the fruits of the concession should not be so lost, for democratic ideas were spreading through the masses in the three kingdoms, and Jacobinical societies multiplying in England. Their text-book was Paine's "Rights of Man," and their intention to abolish monarchy, aristocracy, and other establishments.[3] Their proposed convention was stopped by the arrest of its secretaries, against whom the Middlesex grand jury found a true bill; but the petty jury acquitted them, amid popular applause. The Habeas Corpus Act was thereupon suspended in May 1794. Then the news from the Continent was growing more ominous. The transient triumphs of the previous spring had been replaced by disasters; and now came news from Tournay that on the 18th the allies had been

[1] "The junto in Ireland entirely governs the Castle; and the Castle, by its representations of the country, entirely governs the people here" (Letter of Edmund Burke to his son, November 2, 1792).

[2] Burke to Grattan, September 3, 1794.

[3] Report from the Committee of Secrecy, by Mr. Secretary Dundas, March 15, 1799.

routed, the Duke of York narrowly escaping. Next came the catastrophe of Fleurus, and the conquest of part of the Low Countries by the French. The effect of these events was to draw a number of the aristocratic Whigs into the ranks of the ministry; and in July Pitt disarmed them of future power of opposition and sealed their fate by investing them with office. Lord Fitzwilliam became president of the council; Lord Spencer, privy seal; the Duke of Portland, secretary of state, and Mr. Windham, secretary of war. The Ponsonbys were communicated with, and sent envoys to Tinnehinch in August, representing to Grattan that Pitt was favourable to reform and to the Catholics, and pressing their friend to co-operate and to accept the chancellorship of the exchequer. This position he declined, preferring to see Sir John Parnell continue in office, but he subsequently acted as leader. Lord Fitzwilliam, on August 23, wrote direct, intimating that he was to come as Lord-Lieutenant, with the intention of purifying the principles of government. This could not be done without the concurrence of the country's most eminent men, therefore he looked to him and his friends, the Ponsonbys, for aid; otherwise he should decline the hopeless task.[1] Grattan thereupon went to London, and called upon the Duke of Portland, who declared he had taken office because, he said, "I know there is an entire change of system." In October Pitt arranged a confidential conference with Grattan, but friends of both warned the latter not to trust Pitt; to set down everything in writing, "for if you have any dealings with Pitt he'll cheat you."[2] On the Catholic question Pitt's words were distinct: "Not to bring it forward as a Government question, but if Government were pressed, to yield it." At the levee the king was most gracious to Grattan, and Lord Fitzwilliam, duly sworn, proceeded to Ireland, believing he had full powers as regards the Catholic and other questions. His immediate chief was

[1] Grattan's "Memoir." Lord Fitzwilliam to Mr. Grattan, August 23, vol. iv. p. 173.

[2] "Memoir," vol. iv. p. 177.

the Duke of Portland, who had brought the message of independence in 1782, and who would not have entered into the coalition had he not been secured "the general management and superintendence of Ireland."[1]

The arrival in Ireland, on January 4, 1795, of Lord Fitzwilliam was welcomed with delight, not only in the capital, but throughout the country. With the exception, of course, of the baffled junto and its clique, Protestants as well as Catholics hailed the event. The fact that only two obscure members had voted against the Bill of 1793, as well as the testimony of the late and the present viceroy, demonstrated the happy harmony of the nation generally. Addresses poured in, and Lord Fitzwilliam soon discovered that the Catholics were preparing to press for a repeal of the remaining restrictions, a fact which he communicated to the secretary of state. He considered that, as all were convinced of its propriety, an attempt to postpone it would be mischievous. Change of measures usually involves change of men. Pitt had acknowledged the principle by removing a viceroy; the Lord-Lieutenant considered he should remove some subordinates—remnants of the junto—whose misrule had necessitated that change. Attorney-General Wolfe was elevated to the peerage by the king's assent, with a reversion of £2300 a year; his place was given to Mr. George Ponsonby. Toler, solicitor-general, was also to be replaced and consoled. Cooke, a former clerk who had crept into power, was pensioned off; nay, even the potent Mr. Beresford was to retire on full pay, none of his family being disturbed. There had been some conversation about this before Lord Fitzwilliam left, and Mr. Pitt had made no objection. Mr. Beresford's power was great enough to be dangerous; he overshadowed the king's representative, and "I clearly saw that if I had

[1] Lord Fitzwilliam to Lord Carlisle, Plowden, vol. ii. p. 467. This statement is fully corroborated by the testimony of Mr. W. B. Ponsonby, a kinsman and friend of the Duke of Portland, who declared, of his own knowledge, that the coalition would not have taken place had not his grace received enough authority to reform all abuses. By this authority he sent over Lord Fitzwilliam, with explicit and full powers to carry every measure he proposed ("Debates," vol. xiv. p. 184).

connected myself with him," wrote Fitzwilliam, "it would have been connecting myself with a person under universal heavy suspicions, and subjecting my Government to all opprobrium and unpopularity attendant upon his mal-administration."[1] No word of disapproval came from London.

The House met on January 22, and the Lord-Lieutenant delivered a vigorous speech. He referred to the war with France, but thought it unnecessary to press them to make adequate provision for it; he pointed out that educational advantages had hitherto been partial; their wisdom would order matters in a mode better suited to the requirements of "the several descriptions of his Majesty's subjects." Engaged in an arduous contest, they should profit by the united strength and zeal of the whole people. Grattan, in reply, made a vehement speech for war with France, and cordial co-operation with England. He referred to a plan of colleges for the education of the Catholic clergy, then excluded from the Continent, and warned those who disturbed the peace in one of the counties that they should either give up their practices or their lives. Mr. Duquery alone suggested that peace with France might be sought for. None dissented from the other proposals. The programme of the patriots in power did not belie their principles in opposition. Their projected reforms included the reduction of the pension list by £44,000, of the concordatum list by £22,000, a diminution of the cost of revenue collection, and measures to restrain the use of spirituous liquors.[2] The obnoxious Police Act was at once remodelled, and repeal of the Convention Act was under consideration. A great boon was immediately given to the poor by the abolition of the hearth-tax, where, in town or country, families had but one hearth; duties on the wealthy made up for the loss of revenue.[3] Bounties were to be pruned down where possible. On February 9 the chancellor of the exchequer, opening the budget, reported that, whilst in

[1] Lord Fitzwilliam to Lord Carlisle.
[2] Grattan, "Memoir," vol. iv. p. 187.
[3] "Parliamentary Register," vol. xv. p. 103.

1793 they were indebted, with credit decaying and trade declining, now all was changed; they had paid off sums advanced, credit and trade flourished, while the revenue had increased. After applying a surplus to national objects, they would be able "to advance money to England for military purposes, as they had done to a considerable amount already, £100,000 of which yet remained to be put to the credit of the nation." The national debt stood at £3,833,000 only.

The question of the complete emancipation of the Catholics now came to the front. In long succession, petition after petition had poured in from the Catholics all over the country, and from the Protestant town of Belfast, praying for the removal of all penal restrictions. Accordingly, on February 12, 1795, Grattan moved for leave to bring in a Bill on "a most important subject—the relief of his Majesty's Roman Catholic subjects." It was well known, after Mr. George Knox's proposal in a former session, that this Bill would admit Catholics to Parliament as well as to other positions,[1] yet there were but three dissentients—Duigenan, Ogle, and Blaquiere. Two days later came letters from Pitt and Portland. The former was a rather tardy remonstrance as to the dismissal of Mr. Beresford, and the supersession of the two law-officers. That gentleman, it appears, through his friends in London, and doubtless with the support of the ex-viceroy and his clique, represented that, though willing to withdraw, he had been discourteously treated.[2] The "family cabal" (of Beresford and Clare) got the ear of the king[3] and of the cabinet; they urged, amongst other things, that they had belonged to the

[1] This Bill would have admitted Catholics to the post of lord chancellor, from which that of 1829 excluded them (Grattan, "Memoir," vol. iv. p. 194); and, again, it would not have disfranchised the unfortunate 40s. freeholders.

[2] Lord Loughborough to Mr. Grattan, February 28.

[3] "In the previous autumn, on the first rumour, Beresford had flown to the king at Weymouth, obtained a private audience, represented his fidelity to every administration for twenty-five years, and assurances of protection from the king's friends. By royal command, he attended a council, where the restoration of himself and his friends was voted" (Plowden, vol. ii. p. 507).

"king's friends" during the debates on the regency question, and posed as injured victims of their fidelity to Pitt, and even spread the report that their dismissal was intended as a deliberate slight on Pitt by Lord Fitzwilliam.[1] The Duke of Portland's letter pressed for a postponement of the Catholic Bill. The Lord-Lieutenant replied to Pitt, justifying the dismissals, and to Portland, expressing surprise at the demur to a policy which had been laid before him now some time ago, without eliciting any sign of dissent. The risk of popular discontent arising from a postponement, involving armed repression, was more than the viceroy could run; and, therefore, he plainly declared that, if not supported, he should be removed. Pitt replied that he felt bound to adhere to his sentiments, not only with respect to Mr. Beresford, but as regards the line of conduct adopted "in so many instances towards the former supporters of Government."[2] Portland concurred in the decision of a Cabinet Council, none dissenting—sacrificed his "second self," his policy, and his party. Fox's faithful opposition exulted in a result they had predicted.

Burke, grievously humiliated at the position in which he had helped to place Grattan, reviewed the situation with bitter indignation. Ireland had become more loyal than England. "Opposition to the Crown with you was not only weakened, but extinguished." Cries for peace with France, powerfully supported in the English Parliament, were not heard of in the Irish. "Whilst so many in England were rushing into the arms of France, Ireland resolved to live or die with Great Britain. To crown all, more troops were raised, and greater sums were voted to the king's service than before was ever known."[3] This, indeed, was a point keenly felt in Ireland. The Parliament had been generous to excess after the arrival of this peace message, as after that of 1782, and now it stood wounded through its gratitude by the perfidy of Pitt. Sir Lawrence Parsons, on hearing the reported recall of the viceroy, rose

[1] Edmund Burke to Grattan, March 5.

[2] Plowden, vol. ii. p. 493, Letter of Lord Fitzwilliam to Lord Carlisle.

[3] Edmund Burke to Grattan, March 3, 1795.

to deplore and denounce it, reminding the House of the promises of conciliatory measures on the faith of which they had voted the enormous sum of £1,700,000.[1] On March 2, when the rumour was confirmed, he rose again to propose that, instead of passing the money Bill for a year, it should be limited to three months. "The state of the kingdom," he said, "was most alarming. Measures had been promised, and hopes raised, which would soon be resisted." As to the Catholic Bill, "If the British Cabinet had held out an assent, and had afterwards retracted" (a loud cry of "Hear, hear!")—"if the demon of darkness should come from the infernal regions upon the earth, and throw a firebrand among the people, he could do no more to promote mischief. The hopes of the public were raised, and in one instant they were blasted. If the House did not resent this insult to the nation and themselves, they would, in his mind, be most contemptible; for, though a majority of the people might consent to have their rights withheld, they would never consent to be mocked in so barefaced a manner. The case was not as formerly, when all the Parliament of Ireland was against the Catholics, with the force of England to back them. Now, although the claim of the Catholics was well known and understood, not one petition controverting it had been presented from the Protestants in any part of Ireland. No remonstrance appeared; no county meetings had been held. What was to be inferred from this but that the sentiments of the Protestants were for the emancipation of the Catholics?" He pointed to the fact, that at a crowded meeting of merchants at the Exchange, with the Governor of the Bank of Ireland in the chair, the strongest possible resolutions were passed in favour of the Catholic claims. They had been duped into voting a quarter of a million taxes additional, and now a short money Bill was the staff of

[1] "Parliamentary Register," vol. xv., February 26. Grattan, February 3, moved that £200,000 be granted to raise men for the fleet, and added that the chancellor of the exchequer would move in committee 41,000 men for the home defence. The motion was agreed to without a division ("Memoir," vol. iv. p. 186).

their authority. They could do more by a silent vote that night than by brilliant orations afterwards. His bold, brave spirit was not, however, to prevail. Tighe, Smith, Egan, and Dr. Brown spoke in support of a method which had been employed on critical occasions before with success. But the ministerialists pleaded that the delicacy of their position should be considered; the secretary feared the comfort such an act might give to France. Grattan, unhappily, kept silence, feeling himself also a minister unattached. But their enemies had no respect for such scruples, and rejoiced when they found the short money Bill supported by only 24 resolute men, as against 146. Mr. Connolly, however, immediately moved that Lord Fitzwilliam "has by his conduct, since his first arrival in this kingdom, merited the thanks of this House and the confidence of the people." This was passed, *nemine contradicente*, and a similar resolution was sanctioned by the Lords. Thus, whilst the English Cabinet was recalling the Lord-Lieutenant, apparently on account of the Catholic Relief Bill, the Irish Protestant Parliament and merchants expressed their full approval of his conduct, and indignation at his removal. But a great opportunity had been lost, and, though the city and country joined in the protest by the voice of meetings and by deputations to the king, nothing availed. On March 25 Lord Fitzwilliam's carriage was drawn by the hands of the citizens to the shore, through a metropolis in mourning. Two parties, however, were gratified: the Ascendency faction, and the republican separatists.

The former saw that Grattan had pledged the country against France—that extra taxes and supplies had been granted, and votes given for a great increase of the land and sea forces. Jacobinism seemed eradicated. They cried, "Victory!" "They say," wrote Burke, "that no evil can happen from the disgrace of the Lord-Lieutenant, and from your being set aside; that by what you have done you have disarmed your opposition; that they have you fast; that they have nothing now but to enter quietly into their old possessions, and to enjoy the fruits of your

labours."[1] The London Cabinet could then get all the credit for concessions to the Catholics, and enhance their value by holding them over. There was another object in view. Of all the ministers of this period the most perfidious was, not Mr. Pitt, but the Duke of Portland. He had already attempted an intrigue, in 1782, with Mr. Ogilvie against the independence of the Irish Parliament, of which he was ostensibly the faithful friend. Now he sought to involve Lord Fitzwilliam in another intrigue of like nature, urging on him privately a postponement of the Catholic question, for that "was not only a thing to be desired for the present, but a means of doing a greater service to the British empire than it has been capable of receiving since the Revolution, or at least since the Union." This pointed reference to the Anglo-Scottish Union was quickly taken as a revival of the purpose of an Anglo-Irish Union. Lord Fitzwilliam (February 21) charged his grace with calculating on the confusion arising from a postponement of the concessions, to induce the people to adopt a union. "It will be union," he added, "not with Great Britain, but with France." This correspondence lay in the bureaux of the ministers, but its purport leaked out. Not only did young Valentine Lawless (Lord Cloncurry) hear of the project of a union, when dining in Baker Street with Pitt,[2] but the Catholic Committee heard of it, and denounced it. At a meeting in Francis Street Chapel (April 9), to receive a report of their deputation to the king, Keogh observed that he hoped the legislature would be roused to a sense of its own dignity, as the proceedings showed that internal regulations for which it was alone competent had to be adjusted by a British Cabinet. This gave offence to the Government.[3] Edward Hay, a Catholic delegate, states that it was proposed by the British Cabinet to his lordship, "to carry the Union at a time when he had got the money Bills passed. . . . It was even suggested that these"

[1] Edmund Burke to Grattan, March 3, 1795.

[2] Cloncurry, "Personal Recollections," pp. 38, 39. Dublin, 1849.

[3] Plowden, vol. ii. p. 512.

(certain popular) "measures might go hand-in-hand with the union."[1] At the meeting, the passage from Portland's letter was read, and another expressing a desire to defer the Catholic question until the peace, in order to gain advantages not otherwise attainable. It being discerned that these expressions could admit of no other meaning than that of a meditated union between Great Britain and Ireland, the Catholic meeting came to the following vigorous resolution:—"Resolved unanimously, that we are sincerely and unalterably attached to the rights, liberties, and independence of our native country; and we pledge ourselves, collectively and individually, to resist even our own emancipation, if proposed to be conceded upon an ignominious term of an acquiescence in the fatal measure of a union with the sister kingdom."[2]

[1] Edward Hay, M.R.I.A., "History of the Insurrection in the County Wexford, 1803," p. 32.

[2] Rev. Denis Taaffe, "Impartial History of Ireland," vol. iv. p. 567, Dublin, 1811. "Whilst this debate was going on, a very large party of the young men of the (Trinity) College came into the chapel, and were most honourably received. Some of them joined in the debate. They came that hour from presenting an address to Mr. Grattan, to thank and congratulate with him on his patriotic efforts in the cause of Catholic Emancipation and the reform of abuses," etc. (Plowden, vol. ii. p. 512.)

VI

EVOLUTION OF REBELLION

WITH Lord Fitzwilliam departed all prospect of peace. He left the country flourishing, as an enemy confessed. "What is the state of Ireland at this moment?" said Mr. Cuffe (April 21, 1795). "A state of unexampled prosperity. The landlord gets his rent to the hour; the tenant finds money for the purchase of his land the moment he brings it into the market; and the manufacturer finds employment and payment to his satisfaction. Ireland has the constitution of England, without its debt."[1] The Ascendency junto, despotically placed in power against the will of the people, soon changed the aspect of affairs. In a brief time, sect was set against sect, and class against class; constitutional agitation was forbidden, and conspiracy engendered; refusal of promised redress was followed by an attempt at revolution, and the Irish people, who had been willing to "stand and fall with England," who had granted great supplies of men and money to assist her in danger, were now, by the inconstancy of Pitt and the perfidy of Portland, converted into desperate enemies, seeking and obtaining the aid of France to support an organised insurrection. The prosperous country was made indigent and loaded with debt.

The new administration assumed power amid the execrations of the citizens of Dublin. Beresford, notwithstanding his malversations, was restored to the revenue board; even Pelham, the new secretary, murmured. He could not defend the job; the interest of a clique should not prevail against the country's peace.[2] His superiors

[1] "Parliamentary Debates," vol. xv. p. 168.

[2] Pelham to Portland, March 22, 1795.

thought otherwise. He found Dublin indignant over the Union innuendo in Portland's letter to Fitzwilliam, declared it was a false construction,[1] and expected that his chief, Lord Camden, would deny it in Parliament. Portland directed him to be silent on the subject, and to protest that the correspondence of statesmen should be "kept religiously secret."[2] Lord Fitzwilliam had brought the plot into daylight, but they were to act in the dark. Camden came over with distinct orders from Portland to stir up the dying embers of Protestant bigotry into a flame. That this was necessary shows how tolerant, enlightened, and large-minded the Irish Protestants had become. It is additional evidence that they would have voted for Grattan's Bill of complete emancipation had Fitzwilliam remained. Portland, the recreant Whig, wrote that "great firmness" would be "necessary to rally the friends of the Protestant interest." They had grown too placable and peaceable—were "enervated," in fact. "You must therefore," continued his grace, "hold a firm and decided language from the first moment of your landing." This was to "give the tone," and to excite them to exert themselves "against the further claims of the Catholics." "At the same time," observed the deceitful minister, "you will satisfy the Catholics of the liberal and conciliatory disposition entertained towards them. You will do this," he added naïvely, "the best way you can."[3] They might be promised some of the benefits of the Relief Act of two years ago (if practicable); perhaps seminaries and salaries for the priests might be considered. Accordingly, when Grattan moved his Catholic Bill (May 4), the solicitor-general was put up to "give the tone" by denouncing it, and demanding whether a trace was to

[1] Ibid., March 30, 1795.

[2] Portland to Camden, April 13, 1795.

[3] Instructions to Lord Camden, March 10 (Froude, vol. iii. pp. 138, 139). Yet on February 16 he had written a private letter to Fitzwilliam, saying "it was going too far to infer from anything he said that Lord Fitzwilliam was desired to undertake the task of deferring" the Catholic question until the peace. (Portland to Fitzwilliam, Grattan, "Memoir," vol. iv. p. 194).

be left of their old Protestant constitution. Denis Browne, Langrishe, M. Fitzgerald, and Ruxton supported the Bill. Pelham interposed to stimulate bigotry, avowing that he would exclude all Dissenters and Catholics to preserve the Protestant Establishment in Church and State. Sir Lawrence Parsons trenchantly exposed the trickery of the Cabinet, on which he fastened the full responsibility. It sought to make a puppet of Parliament. "In 1792," he said, "a majority decided against giving any further privileges to the Catholics. In 1793 the same majority passed the Catholic Bill. At the beginning of this session every one believed that a majority would have voted for this Bill; every one believes that a majority will vote against it now: and should the English ministers in the next session wish it should pass, who does not believe that a majority will vote for it then?" All this was manifestly true, but it suited the Cabinet to keep up the state of irritation and discontent Parsons deprecated. The gates of knowledge and opulence had been opened to the Catholics; those of power and the constitution could not be closed without force, said George Knox, in a remarkable speech. "Take, then, your choice: re-enact your penal laws; risk a rebellion, a separation, or a union;—or pass this Bill." After a lengthy debate, in which the advocates of the measure displayed exceptional eloquence, instinct with noble thought, based on sound reasoning and great research, the division was taken and the Bill rejected by 155 to 84.[1] The coercive hand of the British Cabinet, by that vote, closed the opening gates of the constitution against the majority of the nation for thirty-four years.

Their administrators in the Castle, with a view to render the Irish Parliament odious as well as contemptible, and to make Irishmen resign themselves to the idea of Union, then proceeded to inflame sectarian rancour and to dragoon the country into rebellion. To stir up or foster religious discord was, indeed, an ancient and favourite resource of the party of misrule. Lord Deputy

[1] "Parliamentary Debates," vol. xv. p. 361.

Strafford lauded the benefits derived from "emulations fomented underhand" between Protestants and Catholics.[1] Primate Boulter lamented that the worst of a certain affair was that "it unites Protestants and Papists, and if that reconciliation takes place, farewell to English influence in Ireland." In exactly the same spirit, Westmoreland had written to Dundas that "every step of conciliating the two descriptions of people that inhabit Ireland diminishes the probability of that object to be wished—a union with England" (December 12, 1792). He too grieved over the extension of a spirit of conciliation towards Catholics on the part of Irish Protestants, but still hoped they might be roused by "a big word from England, of her determination to support the Protestant Establishment."[2] His policy having been adopted, the big word spoken, the country placed under the Ascendency triumvirate — Fitzgibbon, Foster, and Beresford, with Camden as a figure-head — operations began. To counteract the harmonious co-operation of Irishmen, emissaries were sent into the country, especially to Armagh County, where the local sectarian feud had subsided into comparative peace. It was "rekindled by secret agents, and converted into a ferocious warfare of religious contention."[3] The poor Catholic peasants were expelled their farms, and ordered "to hell or Connaught;" a witness testifies that numbers of them were seen wandering about the country, hungry, half naked, and infuriated. He sometimes heard of over a dozen Catholic houses being wrecked or destroyed in one

[1] Strafford, Letter to the Lord Treasurer, July 19, 1634.

[2] Westmoreland to Dundas, December 12, 1792.

[3] Plowden, "History of Ireland," vol. i. p. 16. Dublin, 1811. Mr. Plowden, an English supporter of the Union, was engaged by the British minister to write a history of the period; his inflexible honesty displeased, and was rebuked by Mr. Addington (Grattan, "Memoir," vol. v. pp. 233–236). Rev. Dr. Dickson, Presbyterian minister of Down and Armagh, fully corroborates him: "During the years 1795 and 1796, when public provocations did not succeed, private emissaries were sent abroad to circulate alarms and provoke jealousies" (between Catholics and Presbyterians). He exposed them, and was charged with sedition and threatened ("Narrative," p. 31).

night.[1] Colonies of the Ascendency faction were given their lands and crops. Magistrates fomented the persecution, and the highest officials aided and abetted it for electioneering purposes. So patronised and encouraged, the penal faction showed themselves, as Grattan said, "a banditti of murderers, committing massacre in the name of God, and exercising despotic power in the name of liberty."[2] They proceeded uncensured until an unexpected event occurred. The landowners, when the time came for letting the farms in the devastated districts, found to their dismay that few bidders appeared, and of these not one offered more than about half what the persecuted Papist had given.[3] Thus their misconduct brought a heavy mulct. Thirty of the magistrates came together on December 28, 1795, at the call of Lord Gosford, governor of the county, to declare that Armagh was in a state of "uncommon disorder," and to stay "the progress of the persecution now carried on by an ungovernable mob against the Roman Catholic inhabitants of this county." Lord Gosford, in his written address, stated that "neither age, nor sex, nor acknowledged innocence" obtained mercy. "Confiscation of all property and immediate banishment" were the doom of every Catholic. There was no parallel for the horrors and cruelty of a proscription by which "more than half the inhabitants of a populous county" were "deprived at one blow of the means as well as the fruits of their industry," and driven out "in the midst of an inclement season." He would despise himself if, in presence of such sights, he kept silence "under any intimidation." The "intimidation" came from the Castle, where his lordship's conduct was denounced as "extra-officious and unwarrantable."[4] Yet this was the man who had been made governor of the county to mortify the patriot Charlemont. Colonel Craddock, in whom the

[1] "Report of Committee on the Orange Institution," Mr. Christie, a Friend. In *Edinburgh Review*, 1836.

[2] "Parliamentary Debates," vol. xvi.

[3] Edward Hay, M.R.I.A., "History of the Insurrection, 1803," p. 39.

[4] Plowden (Post-Union), "History of Ireland," vol. i. p. 37. 1811.

Government had "confidence," was sent to the district, assisted by General Nugent; he considered the matter, but "could see no possible way the troops could be employed." He therefore asked for his recall, whilst admitting that the Protestants were guilty of "barbarous practices" which ought to be put down.[1] When Papists ventured to linger, some had their roof-trees cut, and were smothered in the ruins; into the cabins of some a dozen shots were fired in the direction of the bed. Others were shot when attempting to escape. Those who escaped fled to the adjoining counties, and even to Connaught, where Mr. Martin and Lord Altamont gave refuge to them, and to some Protestants who wished for a quiet life.[2] The rumours of the wrongs committed had sped swiftly over the country, and the sight of the impoverished victims increased the alarm and indignation thus aroused. As a consequence, "Defenderism" had spread widely, and the Catholic peasantry banded themselves together in secret societies and strove to arm themselves by all means, lawful or not. The Castle junto had the gratification of seeing that such proceedings alarmed the country gentlemen, whose imaginations were kept excited by the ordinary methods of official exaggerations. Carhampton was despatched to the west on the trail of the victims, and his exploits there contrasted most remarkably with the inaction of Craddock in Armagh. Whilst the summer assizes in Leinster had been noticeable for the number of convictions and executions,—in Connaught, Lord Carhampton forestalled the judges. He entered the jails, took out of custody numbers of untried prisoners, and banished them out of the country. Magistrates imitated him, and, without permitting any defence, often without even the formality of a sworn information, had the hapless people transported.[3] It was computed that nearly 1300 untried, and therefore presumably innocent, persons were sent to

[1] February 22, 1796. "Parliamentary Debates," vol. xvi. p. 112.

[2] De Latocnaye, *Promenade d'un Français dans l'Irlande*, p. 290. Dublin, 1797.

[3] "Parliamentary Debates," vol. xvi. p. 50.

serve out their lives on board the fleet. The victims were to be seen passing to the seaports "tied down on carts, in the bitterest agonies, crying out incessantly for trial, but crying in vain."[1]

The session of 1796 opened with sinister signs. Grattan, having criticised the recent administration, moved an amendment to the address, asking for commerical equality. He was immediately assailed by a creature of the Castle. He should be impeached for sedition, said Archdall; he had dared, in replying to a Catholic address, to say they should "instantly embrace and greatly emancipate." Here, "if sedition is not meant, it is at least expressed." Whoever talked of impeaching Lord Westmoreland, let him remember there was a present Executive, and first think and tremble for his own neck.[2] This indicated the tone of the ruling faction (echoed again and again during the session), and only fourteen voted with Grattan. Next, as some of the victims of oppression had appealed to the law courts to right them, the attorney-general introduced a Bill "to indemnify certain magistrates and others," who, he admitted, "might have acted against the forms and rules of law. This barred out the wronged and plundered people from all redress; but even that was not enough. Carhampton's outrages should not be merely condoned, but made operative law. This was done by a Bill nominally to prevent insurrections, tumults, and riots, which the attorney-general himself declared was "a bloody penal code," repugnant to his feelings.[3] The administering unlawful oaths was made felony of death; no house was safe from search at any

[1] MacNeven's "Pieces of Irish History," T. A. Emmet's "Essay," p. 134. Carhampton and the magistrates, says the petition of the Whig Club to the king, formed themselves into a kind of revolutionary tribunal, where "these men sat without law, tried without law, sentenced without law, and punished without law, not a few individuals, but hordes, tribes, and generations of country people, sent on board a tender, often on this principle, that if tried before a court of law they would probably be acquitted. His Majesty has heard the effect of this policy in the mutiny of the fleet." The courts-martial, in 1798, on board the *Cambridge*, *Gladiator*, and *Diomede*, bear witness to the same consequence (Report of Committee of Secrecy, 1799).

[2] "Parliamentary Debates," vol. xvi. p. 7.

[3] Ibid., p. 18.

hour, nor any person's life or liberty after nightfall; magistrates, at quarter sessions, were empowered to seize all vagrants or persons having no visible means of livelihood, and send them to the fleet. This put at the mercy of every unscrupulous enemy, the life and liberty of members of the popular party in the country. The Ascendency faction had but to burn down a cabin: the expelled inmates were "vagrants," and could be banished for life. Mercenary foes had but to swear that a political or social antagonist had administered an unlawful oath, and the executioner was set to work. If Grattan himself might be threatened, what chance had a poor peasant or simple citizen?[1] After a futile effort to obtain that the judges should first state the true condition of the country, the Indemnity Bill was passed. The Insurrection Bill, empowering searches for arms, dispersal of meetings, seizure of vagrants, etc., had a similar fate. Lord Edward Fitzgerald opposed it, as tending to exasperate, not remove, the evil; this could only be done by a redress of grievances. Parsons, Jephson, Curran, Hoare, censured the Bill in committee. Grattan (February 29) moved its recommittal. Duquery objected to abolition of trial by jury. George Ponsonby denounced the Bill as draconian, but all in vain. On the other hand, the Castle majority rejected Grattan's motion for equalisation of duties with England, and Curran's for an inquiry into the condition of the poor. The work of the session was to empower a horde of profligate petty gentry to act as absolute despots —men whom Young had forcibly styled the "vermin of the kingdom;" men who had treated the peasantry as slaves, and in whom "drinking, wrangling, quarrelling, fighting, ravishing, etc., are found as in their native soil."[2] They had not changed in Wakefield's time, who testifies to their wanton cruelty.[3] And every stir of the trampled people was exaggerated and distorted for selfish

[1] Some time after, a spy was sent from the Castle to entrap Grattan, and his home was invaded by furious yeomen. He had to leave Ireland.

[2] Young, "Tour in Ireland," vol. ii. part ii. 1780.

[3] Wakefield, "Account of Ireland," vol. ii. p. 773. 1812.

objects; even perjury was not spared,[1] whilst their grievances were ignored. As a consequence of the Government's action, the people were harried by the military, their houses burned, themselves often maimed or murdered.[2] What redress did the law offer? At Armagh, a colonel was tried for murdering a Mr. Lucas, found guilty, and sentenced, whereupon he drew out a full pardon, and was set free.[3]

In September the Bar resolved to form an armed association for the defence of the country against invasion. This body might have become as patriotic as the volunteers had not the Executive taken care, wherever possible, to arm only the "*canaille de la cour*," the lawless "vermin of the country," and mould it into the bigoted and ruthless "yeomanry." Parliament met in October, to hear that the French threatened a descent on the British coast. Grattan moved an emancipation amendment to the address, which was rejected by 149 to 12. The ministry carried the suspension of Habeas Corpus, by 137 to 7.

On March 17, 18, and 20, attention was called to General Lake's proclamation at Belfast, ordering all persons to surrender their arms and ammunition. From the viceroy came a message, stating he had proclaimed portions of Ulster (Down, Antrim, Donegal, Derry, and Tyrone) in a state of disturbance, owing to their insurrectionary spirit, and ordered Lake to act. Grattan revolted against "attainting one entire province of Ireland of high treason." The ministers had begun their career by declaring against the Catholics; they have proceeded to an outlawry of the

[1] This is the testimony of Arthur, Duke of Wellington, in still later days (Letter to Brigadier-General Lee, July 7, 1808).

[2] Plowden, "Historical Review," vol. ii. p. 573.

[3] Ibid., p. 573. A magistrate of Down county, who had kept his estate quiet, was informed on oath by three Orangemen, that members of Parliament supplied them with funds, guaranteed them impunity for any act, and pledged themselves that Government would provide for them. The magistrate wrote for instructions (Plowden, "Historical Review," p. 573, note). It was superfluous; their excesses were approved of by the paid press organ of the Government (*Faulkner's Journal*), for Armagh borough was to elect Mr. Pelham, the secretary, and Duigenan, the bigot, at the general election (Plowden, "Historical Review," p. 576).

Protestants. Ulster should recover her liberty; military tyranny must fail, though "many of their enemies do not scruple to express a wish for a rebellion in the north."[1] He moved that the viceroy be asked to recall his proclamation. The patriot phalanx could only muster 16 as against 127. George Ponsonby, on March 24, moved a repeal of the Insurrection Act. He reviewed the policy of the ministry, with especial reference to foreign perils, and demonstrated that the real danger lay in that policy. "Rely upon it," said he, "coercion will never do to defend the country against the French, or your system against the people. You may hang some, you may transport others, and you may imprison more, but remember that the purpose of Ireland is to pursue liberty, and somehow or other she will accomplish it."[2] The division was almost the same; the minority being smaller by one.

The ministry had a sensation in store. Papers had been seized belonging to United Irishmen in Belfast, and on May 10, 1797, Mr. Pelham brought up the report of the Secret Committee (all its members being officials or Castle partisans), to which they had been confided; and referring to it as indicating a conspiracy of confiscation, murder, and republicanism, pointed a moral for those who urged emancipation and reform (which the United

[1] Violence, he added, their oppressors desired, as giving colour to persecution. Their desire for a rebellion was unblushingly proclaimed during this debate (March 20) by two ministerialists, under the sanction of their superiors' silence. Mr. J. C. Beresford "wished they were in open rebellion, then they might be opposed face to face." Mr. Maxwell "wished that the north was in open rebellion, which might be more easily suppressed than concealed and growing treason." Grattan, in reply, took note of the charge, "the crime of recommending peace to the people." "It were to be wished they'd rebel! Good God! Here is the system and the principle of the system; from a system of corruption, to a system of coercion, and so on to military execution" ("Debates," vol. xvii.).

[2] "Debates," vol. xvii. p. 179. On the previous day Mr. Fox, in the British Commons, moved an address to the king, asking him to adopt healing measures for Ireland, and was supported by 84 against 220 members. The tone of the Castle was given in Dr. Duigenan's denunciation of Fox as guilty of "abominable falsehoods," and "a flagitious attempt to excite treason and rebellion." Mr. Ogle supported him. The attorney-general declared the publication "libellous." Mr. Fox, in Ireland, would have run risk of imprisonment.

Irishmen advocated) to be less zealous henceforth. Next day, however, Mr. W. B. Ponsonby firmly stood by his declared intention to bring on a motion for a reform of Parliament, in spite of official dissuasions. When the day came, Lord Castlereagh artfully forestalled him by moving that the address of the Lords on the treasonable papers be considered; but, nothing daunted, Ponsonby introduced that broad measure of reform which would unquestionably have been accepted by all the discontented parties, and saved the country from conspiracy, torture, invasion, and ruin. His resolutions declared (1) that it was essential for a fundamental reform of the representation, to abolish all religious disabilities for ever, and to admit Catholics equally with Protestants to the legislature and all the great offices of state; (2) that the people had an indefeasible right to fair representation; (3) that the privileges of boroughs and cities should cease in their present form, and each county should be divided into districts, comprising six thousand houses, which should each return two members. Mr. Pelham tritely asserted that the time was not opportune. George Ponsonby retorted that "the people would infer that no time would ever be thought safe to discuss this measure until it was safe to refuse it." Mr. Stewart (of Killymoon in Tyrone), who had sat on the Secret Committee, declared the measure would give general satisfaction. "Take away the grievance," said Mr. W. Smith, "you unmask the traitor; you rescue the well-affected subject from delusion." He produced a letter from Edmund Burke, declaring the Bill to be the best safeguard against Jacobinism. "Reform," exclaimed Curran, "had become an exception to the proverb that says there is a time for all things; but for reform there is no time, because at all times corruption is more profitable to its authors than public virtue and propriety, which they know must be fatal to their views." If 100,000 persons (probably thrice that number) were attached to rebellion by the hope of reform through blood, how much more readily would they be detached by, not the promise but, the possession of reform without blood.

Their draconian laws had caused not safety, but danger, like mastiffs that turn and rend their masters.

The number of advocates and weight of argument were all in favour of the Bill; the ministry relied on a brute vote. Grattan rose, after consultation with his friends, to deliver the final speech and their decision. Reminding Government that they had tried all kinds of coercion, but not reform, he produced a document, signed by nine hundred Ulster merchants, in favour of that pacifying measure. Going into every detail of the measure, and justifying it, with as much care as if he expected to convince, and closing every argument with irresistible reasoning, he besought them to be wise in time; but he could not forget the events which produced the American war. Then concluding his great but hopeless effort, he said, "We have offered you a measure, you will reject it; we deprecate yours, you will persevere; having no hopes left to persuade or dissuade, and having discharged our duty, we shall trouble you no more, and after this day shall not attend the House of Commons." The measure was defeated, May 15, by 170 to 30 votes. The advocates of the constitution then withdrew, leaving the country to the executioner and the conspirator.

A deputation, composed of Lawless (afterwards Lord Cloncurry), Lord Edward Fitzgerald, and Arthur O'Connor, had called upon Grattan, Curran, and George Ponsonby to discontinue the "mischievous mockery" of attendance, and they complied.[1] The country appealed to the king against those who misgoverned it. The people of Dublin (April 8) protested that ministers endeavoured to support corruption by terror and violence. The people of Protestant Armagh, convened by the high sheriff (April 19), declared that "the people are goaded to madness by accumulated miseries and oppression." "Your subjects, sire, are daily committed to prison for frivolous pretexts, and innocent and inoffending men confined without hope of trial, liberation, or redress. The richest and most populous province in the kingdom has been, in defiance

[1] Cloncurry, "Personal Recollections," p. 54.

of truth and justice, stigmatised and illegally treated as in a state of insurrection; our most useful citizens, torn from their families and dearest connections, are, without trial by jury, dragged to the fleet like the most atrocious felons, and military coercion has taken the place of common law."[1] Protestant Antrim, convened by its sheriff on May 8, likewise reiterated the charge: "Your ministers have laboured with the most remorseless perseverance to revive those senseless and barbarous religious antipathies, so fatal to morals and to peace. They have abrogated the people's rights, filled the land with spies and informers, and let loose upon your subjects all the horrors of licentious power and military force." The Whig Club appealed in favour of reform. The Bar of Ireland met on May 17 (two days after the secession), and declared for a redress of grievances as calculated to have the happiest effect at that awful crisis. Seventy-four members attached their signatures.[2] This constitutional action was irksome, and the appeals to the monarch were odious to his ministerial servants; they resolved to stop them. A proclamation was issued on the day named, ostensibly against the United Irishmen, but forbidding all persons, under any pretext, to meet in unusual numbers, and ordering the military to suppress them. Carhampton directed the military to act, without waiting directions from the civil magistrates.[3] How this operated may be judged from one instance. The Duke of Leinster, as Governor of the county Kildare, had convened a meeting, on a requisition signed by a number of magistrates, the object being to adopt a petition against the Union, and in favour of reform and emancipa-

[1] And then, most noteworthy of all, these Armagh Protestants called attention to the condition of the Catholics, and condemned their restrictions as hostile to the common rights of mankind and disgraceful to the age. "Your Majesty's ministers, sire, ungenerously taking advantage of these restrictions, have too long propagated amongst us religious animosities and the fiery persecution of merciless bigotry. Against these men at this moment, sire, Irishmen of every persuasion lift up their voice with one accord. We arraign them of crimes at which humanity shudders, and from which Christianity turns an abhorrent eye."

[2] Grattan, "Memoir," vol. iv. pp. 293–299.

[3] "Report of Secret Committee," No. 11, p. 120; and No. 12, p. 128.

tion. It was signed by the Duke of Leinster, Lord Cloncurry,[1] Right Hon. W. B. Ponsonby, and some hundreds of the county gentlemen. A large military force having concentrated at Naas, where the meeting was to be held, the chief secretary was addressed on the subject. His reply was that "his Excellency will give directions to his Majesty's forces to prevent an assembly so unusual as that of all the inhabitants of a county" (May 25, 1797).[2] When this was done, in open insult to peers and magistrates of such standing, the despotic arrogance elsewhere may be inferred. The projected meetings in other counties were abandoned. In Dublin, however, it was not judged expedient to disperse an assembly of the electors. Meeting, on July 29, with the Hon. V. B. Lawless (afterwards Lord Cloncurry) in the chair, they resolved that the electoral right of the people was abrogated by military power, and that they would abstain from the elections, and "leave to the king's ministers the appointment of the king's Parliament." Grattan concurred in this course "when the country is put down, the press destroyed, and public meetings, for the purpose of exercising the right of petition to remove ministers, are threatened and dispersed by the military."[3] Eighteen regiments had been drafted into Ireland since the previous Christmas.[4] Lord Bellamont had given up the command of the Cavan militia, disapproving of General Lake's proclamation, and the Duke of Leinster now resigned that of the Kildare militia.

Under these conditions the Union Parliament came into existence. The elections took place in sullen silence,[5]

[1] When news of the Bantry expedition reached Dublin, the troops could not be moved from the adjoining camp until Cloncurry advanced £45,000 ("Personal Recollections," p. 24).

[2] Cloncurry, "Personal Recollections," p. 52.

[3] Grattan, "Memoir," pp. 301, 302. See also his "Letter to his Fellow-citizens," p. 305.

[4] Lawless, "Thoughts on the Projected Union." One of the first pamphlets against the Union. It was replied to by Under-Secretary Cooke in a pamphlet, but more effectively by the repeated imprisonment of the author (Cloncurry, "Personal Recollections," Appendix).

[5] "That the public had lost or renounced all confidence in Parliament is evident from the apathy and coolness with which the elections went over in the autumn" (Plowden, "Historical Review," vol. ii. p. 649).

under the stern eye of an alien soldiery, with the Insurrection Act at work, the Habeas Corpus Act suspended, and the land infested by gangs of spies and hordes of uniformed house-burners. Lord Moira felt compelled to bring the condition of Ireland before the British Peers, with the hope of influencing the King and Cabinet. The country, which Lord Fitzwilliam had left so flourishing, was now reduced to indigence. The Lord Mayor of Dublin had made application on behalf of 37,000 starving operatives; the customs of Newry and Belfast, which usually produced £15,000, did not produce £1000 last year. "Before God and my country I speak of what I have seen myself," Moira proceeded. "My lords, I have seen in Ireland the most absurd as well as the most disgusting tyranny that any nation ever groaned under. . . ." Homesteads were burned in the night; the cruellest tortures were repeatedly applied, the harshest oppressions practised, as factors of a system of Government. The debate brought no redress, but the exposure seems to have induced Lord Camden to seek to be recalled from the dominancy of the junto.[1] Were there no courts of justice, Lord Grenville asked, open to the oppressed? It was a strange question, in view of the "Luttrellades," as Burke called Carhampton's outrages, and the Indemnity Acts. When the courts sat, their action was sanguinary. "In one circuit there were one hundred individuals tried before one judge: of these, ninety-eight were capitally convicted, and ninety-seven hanged. One escaped; but he was a soldier who had murdered a peasant."[2]

When the Parliament elected, or rather nominated, in the midst of such horrors, met in January 1798, it was, perhaps, an excess of cynicism on the part of the viceroy to cite the "tranquillity" of the late election as evidence that "the wisdom and firmness" of the late Parliament had been "felt and approved by the nation at large."

The last Parliament of Ireland began its first session on January 9, 1798. It met, impeached from its origin.

[1] Plowden, "Historical Review," vol. ii. p. 644, note.

[2] O'Connell, "Speeches," vol. i. speech for Magee.

The two representatives of the metropolis, Grattan and Lord Henry Fitzgerald, with Henry (of Straffan) and John Philpot Curran, refused re-election on the principle that the elections were not free, and that the Commons were overborne by the influence of the Crown. In a farewell letter to his fellow-citizens Grattan epitomised the policy of the ministers, and indicted them.[1] Some independent members remained, and some new men arose, Plunket the chief, to fight out the desperate struggle. Lord Moira had been abused for his revelations. Mr. Brown (of the University) corroborated him. The military, to his own knowledge, had followed two general rules: (1) burning every peasant's house who was not at home at a fixed hour; (2) "taking men who were supposed to be guilty of treason, but against whom there was no evidence, out of their houses and shooting them in cold blood." These were illegal outrages which even the king had no power to order. Knox and Smith, in the Commons; Moira, Dunsany, and the brave Bishop of Down,[2] in the Lords, bore similar testimony. The outrages, as Plowden remarked, were never contradicted, but no inquiry was allowed.[3] Sir Lawrence Parsons (March 5) made another effort, and was supported by Lord Caulfield and Mr. Plunket, in moving for a committee of inquiry and conciliation; but Lord Castlereagh rejected every concession to the very people who, in Ulster especially, had been led by his precepts into peril.[4]

Coercion, and "coercion only," was the policy of the Irish Ascendency junto.[5] They cried out for a Cromwell, and found a Carhampton. Ever ready to exercise a "vigour beyond the law," to treat with equal contempt the claims

[1] "You have declared you wish the people should rebel, to which we answer, 'God forbid!'" (Grattan, "Miscellaneous Works," vol. v. p. 40).

[2] From the fact that he had to defend himself against being supposed to be disaffected, the state of terrorism may be divined.

[3] "Historical Review," vol. ii. part i. p. 663.

[4] Rev. Dr. Dickson, "Narrative of Confinement and Exile."

[5] Letter from Lady Sarah Napier to the Duke of Richmond," 1797: Moore, "Life of Lord Edward Fitzgerald," Appendix.

of humanity and the constitution of the country, he was granted an indemnity for every outrage and praise for every crime, until the demoralisation of his army became a peril. Refusing to submit to orders, he resigned in November 1797, and a skilled general was sent over, Sir Ralph Abercrombie, who arrived early in the following month. He had had experience of the Irish. They made "excellent soldiers when they were well commanded." Critical service he had frequently entrusted to Irish regiments. The people, he truly said, were what the Government chose to make them. But of the purity and wisdom of that Government he had no favourable opinion.[1] The Ascendency gentry were uneducated, "only occupied in eating and drinking and uttering their unmanly fears. They know that they have been oppressors of the poor, and that a day of vengeance is at hand." They had a great force of yeomanry, but they ran to the Castle for troops, and these were scattered about to harass the peaceful inhabitants.[2] He tried to stir them up to manhood and self-reliance, and to reorganise the army. This, as his son rightly remarks, "led to a singular struggle, in which the military commanders wished to restrain the licence of the troops, to protect the people, and to place the army in subjection to the constitution and control of the civil power; while the Government and the magistrates encouraged and promoted the licentiousness of the troops, disregarded the authority of the law, and licensed the oppression of the people."[3] Abercrombie withdrew from

[1] Dunfermline, "Memoir of Sir Ralph Abercombie, K.B.," p. 73. Edinburgh, 1801.

[2] The junto complained bitterly that new British generals would not share their views. They saw a peaceful people, and objected to harry them. They were "prejudiced," wrote Beresford to Westmoreland (March 20). Abercrombie, he lamented, "has often said since his arrival (nay, after he came back from his tour through Munster), that the country was quiet, except the disputes between two parties. A gentleman told me this day that he heard General Sir James Stewart declare that he would not suffer a man of his to act—that there was no occasion for them." Where these generals, on the spot, saw a peaceful people, Beresford, from his closet, beheld massacres and open rebellion. This is how the English Cabinet was taught the state of Ireland.

[3] Dunfermline, "Memoir," p. 76.

Castle society to carry out his work. With all official sources before him, the commander-in-chief stated that "within these twelve months every crime, every cruelty that could be committed by Cossacks or Calmucks, has been committed here."[1] After various efforts, he felt compelled to issue his famous general order of February 26, 1798, in which he declared that the very disgraceful frequency of courts-martial and other complaints had too unfortunately proved the army to be in a state of licentiousness that must render it "formidable to every one but the enemy." Commanding the officers to watch over discipline and good conduct, he emphatically directed them to "attend to the standing orders of the kingdom, which positively forbade troops to act (except in case of attack) without the presence and authority of the civil magistrate."[2] This order exasperated the ministry to frenzy. Hurrying into the Speaker's room, they plotted an impeachment. Pelham stopped it, fearing the scandal and the disclosures. Their agents set to work in London, and Portland called Camden to account—Camden, who had recently approved of Abercrombie's tactics in bringing the troops together. His grace would permit no pacification. He wanted to know how came such an order to be allowed which gave a triumph to Moira's friends "over the chancellor and the heads of your Government" (March 11). Camden, whipped to heel, truckled to all parties, beseeching Abercrombie to retain his command, whilst he proclaimed that "open rebellion" had broken out, and directed the commanding officers to act as they pleased, without the civil magistrates. Abercrombie disdained to remain a degraded man, and sent in his resignation with his reasons to the Duke of York as commander-in-chief. However, he consented to act in the interim, on account of alleged pressing peril. On March 12, arrests were made in Dublin of a number of United Irishmen, including three of the Leinster delegates. Pelham having sickened, Lord Castlereagh occupied his place temporarily, and, speaking through his frigid

[1] Dunfermline, "Memoir," p. 108.
[2] Plowden, vol. ii. p. 664.

organ, Camden, ordered the commander-in-chief to employ his troops "in the disturbed districts" (now the midland counties) and in districts in danger of becoming disturbed, and to "crush the rebellion by the most summary military measures" (March 30).[1] Full powers were given him to quarter troops, take horses, carriages, food and forage, and to hold courts-martial for all offences, civil and military.[2] The gallant general, judging from the peremptory proclamation and instructions, thought an insurrection had broken out. So doubtless thought the British king and Cabinet;[3] but Abercrombie had this advantage over them—he made a personal inspection of the "disturbed districts," and found nothing but tranquillity. The people were occupied in industrial pursuits. They "were very civil and submissive" to him, these ruthless rebels, amongst whom he, the commander-in-chief, went without an escort, accompanied by only one servant.[4] There had been, indeed, some robberies of arms, for crimes take place in all countries. Three days later, he wrote again, "The late ridiculous farce acted by Lord Camden and his Cabinet must strike every one. They have declared the country in rebellion when the orders of his Excellency might be carried over the whole of the country by an orderly dragoon, or a writ executed without any difficulty, a few places in the mountains excepted."[5] Carhampton, however, would have made the

[1] Castlereagh, "Memoirs and Correspondence," March 30, vol. i. p. 164.

[2] Ibid., April 1.

[3] The report of the Secret Committee absolutely stated that "in the months of February and March, many parts of the provinces of Leinster and Munster were actually in the hands of a murderous banditti." These were the parts inspected by Abercrombie, and his declaration (suppressed by the junto) gives a test of the veracity of the ministry.

[4] Letter to his son, April 20, 1798.

[5] Letter to his son, April 23, 1798. His experience coincided exactly with that of another dispassionate visitor in 1797. De Latocnaye, a French royalist (holding rebellion and republicanism in horror), made a complete tour, on foot chiefly, of the country, from May to December. During that period he was only six times at an inn, such was the hospitality of all classes. He, also, found the greatest tranquillity prevail. In Ulster, he saw an assembly of persons soberly and good-humouredly garnering the potatoes of a popular gentleman, whilst women and children sang and helped. Unless informed, he could not have divined the "sedition." It was unjust to accuse the mass of

farce a tragedy. It is noteworthy that brave soldiers like Doyle, the war secretary (who voted for W. B. Ponsonby's Bill in defiance of the junto), like Colonel Napier, Abercrombie, Sir James Stewart, and Sir John Moore, were all convinced that conciliatory measures should be adopted. The Ascendency junto felt it necessary to justify their policy. Words no longer sufficed, however alarming;[1] there must be more tangible evidence. Abercrombie, brave, honest, and humane, whose name is yet revered in Ireland, withdrew, like Fitzwilliam—like him betrayed. His departure, wrote Lord Holland, was hailed "as a triumph by the Orange faction," who, surrounded by tortures, sneered at the clemency of Government and the weakness of Camden.[2] The junto, on April 25, assigned the command to Lake, whose ferocity in Ulster had recommended him to favour. Under his sway the tranquil country was rapidly converted into a place of tyranny, torture, and outrage, with homesteads on fire, provisions destroyed, families ruined, and all the atrocities which licentious ruffians living at "free quarters" could inflict upon human victims. Death, by strangulation or the bullet, was common; but it was a merciful fate compared with the fearful floggings (often a thousand lashes) which tore off skin and muscles. To extort confessions, the son was

the people with the guilt of a few murders. "I had heard so much said of the disturbances, assassinations, and conspiracies of which Belfast was the alleged focus," he wrote, "that it was not without repugnance I went thither. I was agreeably surprised to find the town in the utmost quiet"—*dans le plus grand calme* (De Latocnaye, *Promenade dans l'Irlande*, p. 249. Dublin, 1797).

[1] "Informers" readily came forward with affidavits suited to the market changes. In May 1797 Camden wrote that the Secret Committee had heard with the utmost alarm that "on Sunday se'ennight," the ex-chairman of the Catholic Committee, Edward Byrne, Dr. Troy (the Catholic Archbishop of Dublin), and sixty priests, had been sworn in as United Irishmen (Camden to Portland, May 6, 1797). Now, an informer appeared opportunely to declare that not only were Curran and Grattan accomplices in the conspiracy, but that Abercrombie's order had been calculated to alienate the soldiery.

[2] Holland, "Memoirs of the Whig Party." Within less than two months after his (revoked) order, Abercrombie wrote that "houses have been burned, men murdered, others half hanged. A young lady has been carried off by a detachment of dragoons," etc. ("Memoir," p. 108).

compelled to kneel under his father, and the father under his son, whilst the blood fell hot on them from the lash."[1] Half-hanging was one mode of torture; picketing another, when the victim, strung up by an arm, could only rest the weight of his body, with bare foot, on a pointed stake. Hot pitch was poured into canvas caps and pressed on the head, not to be removed from the inflamed and blistered surface without tearing off hair or skin.[2] Other outrages were perpetrated on helpless sufferers.[3] Without any proof of the possession of arms, on the secret whisper of a foe, at the dictate of malignity, or in the mere wantonness of sanctioned savagery, these deeds were, for the most part, perpetrated. When the sentences of courts-martial were commuted, then and later, it generally meant that the victims were sent to the fleet (as to the galleys) or to foreign service. "Many," wrote Lord Holland, "were sold at so much a head to the Prussians." In Prussia they were slaves, either under harsh military drill or in the salt mines. "The fact is incontrovertible," he remarks; "the people of Ireland were driven into resistance, which possibly they meditated before, by the free quarters and the excesses of the soldiers, which were such as are not permitted in civilised warfare, even in an enemy's country."[4] He considered insurrection under those circumstances not merely

[1] This was done by order of Major Sandys, brother-in-law to Under-Secretary Cooke (Madden, "Lives and times of United Irishmen," 1st series, pp. 332, 343).

[2] "History of Ireland," by Rev. J. Gordon, Protestant Rector of Killegny, vol. ii. pp. 377–379.

[3] There is probably nothing in history to surpass a case which occurred in Protestant or Presbyterian Antrim: "A justice of the peace for the county of Antrim, who was also a colonel of yeomanry, added to many other vices a libertinism which he practised heartlessly among the wives and daughters of his poorer tenantry. One of his victims, a young girl of eighteen, finding herself in a condition in which she had a claim at least for the protection of her seducer, applied to him for assistance. He not only refused this, but, on some frivolous pretext of complicity with the rebels, handed her over to his troops to be scourged. His brutal order was too faithfully carried out. The poor woman died almost immediately after the infliction of the torture, having given birth to a still-born child" (Plunket, "Life, etc., of Lord Plunket," vol. i. p. 243).

[4] Holland, "Memoirs," vol. i. p. 105.

justifiable, but a duty. "If I were an Irishman," said Sir John Moore to Grattan, "I should be a rebel."[1] The junto did their utmost to entangle their great adversary. A spy was sent down from the Castle to Tinnehinch, who gave a garbled account of a conversation, which the lord chancellor (Fitzgibbon) got published in the "Lords' Report of the Committee of Secrecy." Auckland urged arrest and trial for "misprision of treason."[2] Foster, however, had excluded this "conversation" from the Commons' Report on account of its obvious falsity. A trial was not desired; only pretexts to blacken, in the eyes of the country gentlemen, the Parliamentary opposition by tainting Grattan with treason and Ponsonby with Jacobinism.[3] This, with the efforts to provoke a peasant insurrection, served to realise Fitzgibbon's former prediction, and make the country gentlemen "sick of independence;" for it is quite plain that the junto did not desire to prevent, but to provoke, a rebellion, seeing that they had full information from the informer Reynolds concerning Lord Edward Fitzgerald's projects on February 25, and could, by suspending the Habeas Corpus Act, have arrested all the alleged chiefs at an early date. Lord Chief Justice Clonmel affirms the fact, and urged them to this course, but met with a rebuff.[4] It was implicitly confessed by the lord chancellor, when he subsequently asked Addis Emmet, "Did you not think the Government very foolish to let you proceed as long as they did?"[5]

The Irish Union, as the society of United Irishmen was named, was the expression of the democratic idea of the age. Engendered by the American struggle, inspired

[1] Grattan, "Memoir," vol. iv. p. 393.

[2] Letter to J. Beresford, August 28, 1798; "Beresford Correspondence," 1854, vol. ii. p. 173.

[3] Ibid., p. 217. J. Beresford writes to Auckland, February 18, 1799, that Ponsonby's character was gone, that "he thinks his opposition to the Union will gain him some credit, and on that he will endeavour to regain a character, and wipe away an impression which the public entertained of his connection with the rebels, or at least Jacobins."

[4] Grattan, "Memoir," vol. ii. chap. vii.

[5] MacNeven's "Pieces of Irish History," p. 262. New York: 1807. Emmet's Examination before Secret Committee of Lords, August 10, 1798.

by great first efforts of the French Revolution, the democratic idea developed in the midst of an enthusiasm of which calmer ages have no conception. In 1791, Wolfe Tone demonstrated that reform was hopeless, if the sympathies of the mass of the people were not engaged, by pressing for repeal of the Popery laws—a question taken up by certain prominent Ulster Dissenters, Dublin Catholics, and Liberal Protestants. In consequence, a United Irish Society was formed in Belfast in October, another in Dublin in November, on the principles of a community of rights and a brotherhood of affection among Irishmen of all religious persuasions. Their "heavy grievance" was that they had no national government, but were ruled by aliens and their servants, through corruption. Their object was complete reform of the legislature on the basis of civil and religious liberty, by constitutional methods. They strove to reanimate the volunteers, and they rejoiced in the earlier progress of the French Revolution. Some went further; but, like the advances of the French agent in 1793, they were discountenanced. When, however, in 1794, hope of reform disappeared, and Government assumed the offensive, dispersing the Dublin Society, other action was taken. The test was changed to include republicans, Parliamentary reform being omitted, and the society became a secret and military organisation. On this system two clubs were formed in Belfast, and several others elsewhere in the winter of 1794. This new movement, however, was suddenly checked by the policy of conciliation, and the arrival of Lord Fitzwilliam, in 1795; it remained in abeyance during his short administration. Tone, a separatist in private, was "perfectly ignorant of the new system," and was about emigrating to America, on the dissolution of the Catholic Committee, when the recall of Fitzwilliam revived the secret organisation, which charged Tone with a mission to the French Government through its American agent. Thenceforth they worked together to obtain French assistance. For three months after Fitzwilliam's departure the society had only one "county committee" (Antrim). Then it rapidly multiplied under the coercionist ministry,

until all Ulster was organised, while emissaries swore in multitudes of members in Leinster. This success was due to the encouragement given by the junto agents to the Orange lodges; where one of these was established ten United Societies were formed, owing to the reaction produced amongst the Catholics. Where, as in Munster and Connaught, the Orange system made little way, these Catholic provinces remained quiescent, the peasantry chiefly concerning themselves with local and agrarian grievances. Hence Munster is stated to have favoured the army despatched south, on news of the arrival of the French fleet in Bantry Bay, December 1796. Even then the United Irishmen would have preferred reform to revolution. They co-operated with members of the Opposition to promote the reform meeting in the Dublin Exchange, in 1797, and would gladly have adopted W. B. Ponsonby's Bill, and declined further assistance from France.[1]

The rejection of this peace-proposal, followed by the dragooning of Ulster and torturing of many Ulstermen, caused the northerners to press for an immediate rising; the Dublin committee preferred to wait for promised aid from France, desirous of an orderly revolution, fearing a *jacquerie;* and the opportunity passed. Owing to contrary winds and other causes, the French fleets effected no landing, except when Humbert arrived too late and with too small a force. The sanguinary policy of the junto was successful, and an insurrection which could so readily have been prevented was provoked. The remnant of the directory fixed the date for May 23, when Dublin was to be invaded by three converging columns, and the signal given to the provinces by the stoppage of the mail coaches from the capital. Lord Edward Fitzgerald, their military chief, was arrested on the 19th; but the Government only communicated their knowledge to Parliament on the eve of the day appointed, in order apparently to ensure the rising. The peasantry round Dublin rose, stopped the mails, and effected some surprises; but the

[1] MacNeven's "Pieces of Irish History," p. 224. Addis Emmet reiterated this, on his oath, before the Lords Committee (Ibid., p. 256.)

plan of the proceedings in Kildare, where greater efforts were made, was in the hands of the Government, through the treachery of the delegate Reynolds. The peasant-pikemen fought with remarkable courage, and some temporary triumphs; but everything was against them. On their defeat the courts-martial took action, and horrified the country by their ruthless cruelties. At Carlow alone two hundred persons were executed, and prisoners were tortured by the lash to force them to swear informations.[1] A multitude, accepting General Dundas's terms of surrender, assembled at the Curragh to fulfil the agreement, and, when disarmed, were treacherously fired on by Sir James Duff's troops, and pursued by Lord Jocelyn's mounted fencibles. Two, or some say four hundred were slaughtered.[2] In Ulster, early in June, the insurgents captured Antrim, made a successful surprise at Saintfield, in Down, and at Ballinahinch fought a stout fight, but were finally beaten and dispersed. It was reserved, however, for the most peaceful county of Ireland to make the most desperate struggle. In Wexford only a few districts had been organised by the United Irishmen; the county would most probably have remained peaceful, had it not been for the outrages of the licentious troops, whose barbarities left the men of Wexford no alternative but to arm in self-defence. Their homes were fired, their families outraged, their property plundered, whilst the farmer

[1] "History of Ireland," by Rev. Mr. Gordon, Protestant Rector of Killegny, vol. ii. chap. xliii. At the trial of Sir Edward Crosbie, "Protestant loyalists, witnesses in favour of the accused, were forcibly prevented by the bayonets of the military from entering the court; Catholic prisoners had been tortured by repeated floggings to force them to give evidence against him, and appear to have been promised their lives upon no other condition than his condemnation." No charge was proved before the illegal and illiterate court, but Sir Edward was hanged, and his head placed on a spike. From this may be inferred the mode of dealing with obscure peasant victims.

[2] A writer of history makes much of the fact that some slain insurgents had "protections" in their pockets. This, he alleges, proves their perfidy. It actually proves the perfidy of those who murdered them, as in this instance: "It is certain," wrote J. Beresford to Auckland, July 11, "that several of those who were killed by Sir James Duff had protections in their pockets, obtained under the late proclamations of the generals." And they had surrendered their arms. This clinches the evidence.

in his field or the labourer by the roadside was shot down at sight. A mixed race, made up of Gael, Norseman, Norman, and recent Flemings from England, they chose Protestant country gentlemen as commanders, and marched under their priests with strong enthusiasm and desperate courage. Badly armed, without proper ammunition or discipline, and with no leader skilled in warfare, they practically held their county for about two months against a considerable army, numbering at last 15,000 men, gathered from England, Scotland, Wales, and Hesse, as well as from Ireland, and commanded by Generals Lake, Dundas, Loftus, Needham, Wilford, Johnson, Duff, and Moore. The unequal contest, so long maintained, would excite marvel had it occurred elsewhere than in Ireland. Here the sins of the insurgents alone are seen.

Lord Charlemont said: "A rebellion of slaves is always more bloody than an insurrection of freemen." The rebellion in Wexford justified the saying. Under no military control, undisciplined, and practically unled; goaded to revolt by intolerable barbarity, they flew to arms, without preparation, as a desperate resource. Such a struggle inevitably exhibited some of the features of a *jacquerie*. The peasants, refused quarter themselves, often gave none, and on some occasions committed acts of outrage and horror, in murderous retaliation, on their foes. Their leaders, clerical and lay, Protestant and Catholic, did their utmost to control them, and were generally successful. But, in some instances, the insurgents unhappily imitated the example of the regular soldiery; and, flushed with momentary success, wreaked a dreadful vengeance on the instruments of the tyrants by whom they had long been oppressed and degraded. It was not, however, of the atrocities of the rebels, but of the atrocities of the king's soldiers, that General Lake wrote to Castlereagh: "The carnage was dreadful; the determination of the troops to destroy every one they think a rebel is beyond description." The truth is, outrages were not committed by rebels until they had been taught innumerable lessons in barbarity by their foes. There was this marked dis-

tinction, that such sequent acts on their part were at once disavowed and denounced by their leaders, who, lay and clerical, intervened to save life; the provocative deeds of their enemies were perpetrated by the hand or order of men in authority.[1] They have been depicted as savages by strangers; Protestant clergymen in their midst knew them to be amiable, courteous, and chivalrous as gentlemen of other lands.[2] Another remarkable distinction is likewise always ignored. Whilst the armed and uniformed protectors of the country outraged every female they dared, Protestant loyalist or not, the daughters of their Orange or yeoman foes were as safe and sacred amongst the rebels as in their homes. "The fair sex was respected by the rebels," writes a Protestant rector; "I have not been able to ascertain one instance to the contrary, though many beautiful young women were long absolutely in their power."[3] It suited the partisans of power to describe these peasants as engaged in a massacre of Protestants, though they fought simply against antagonists, against Catholic militia as against Protestant yeomanry, whilst they had unanimously chosen Protestants as their commanders. The libel was disseminated in order to deter the northern Presbyterians,[4] and to divide the opponents of the junto.

Lord Fitzwilliam's forewarning had come true. By rejecting reforms, that confusion had been created which

[1] In his life of the informer Reynolds, his son avows that outrages were urged and countenanced by persons of distinction, who indulged their brutality under a mask of loyalty. "Such was the murder of Mr. Johnson, of Narraghmore; the burning of the rebel hospital at Enniscorthy, with all the sick and wounded it contained, to the number of 30 persons" (Cloney says 76); "the massacre of above 50 unresisting persons, under the command of Lieutenant Gordon of the yeomen cavalry, which provoked the massacre of Bloody Friday; the slaughter of upward of 200 men" (350, Musgrave), "after they had surrendered on terms of capitulation on the Curragh of Kildare" (vol. ii. p. 33).

[2] "Gordon, "History of Ireland," vol. ii. p. 447.

[3] Ibid.

[4] Two years before, when the United Irishmen were chiefly Presbyterians, Commissioner Beresford, with their oath of concord before him, wrote to Auckland that "part of their oath was to destroy all kings, to massacre all Protestants" (March 5, 1796).

was to serve as a pretext for the Union; but the confusion had grown into a danger. Camden and the junto were unable to quell the storm they had raised, and Lord Cornwallis was despatched as viceroy and commander-in-chief to replace the former and control the latter. He arrived on June 20, but the warfare continued in Wexford until the end of the month, and a guerilla fight was kept up amongst the mountain-glens of that county, and of Wicklow still later. The junto struggled against control, exaggerated the danger, and their partisans so persecuted the peaceable that they were forced, Protestants as well as Catholics, to join the insurgents.[1] Any man "in a brown coat," wrote Cornwallis, "was butchered, though miles away from the field of action." He issued a proclamation, on July 3, directing generals to give protection to rebels who surrendered and swore allegiance, and introduced an Act of Amnesty a fortnight later for all engaged in the rebellion, except leaders, or any who had committed homicide not in battle. That measure, however, evoked the worst passions, perjury, avarice, revenge, to the destruction of numbers. "No means of conviction were neglected," writes Gordon; "strange as it may seem, acts of humanity were considered as proofs of guilt. Whoever could be proved to have saved a loyalist from assassination, his house from burning, or his property from plunder, was pronounced to have had influence among the rebels, consequently a rebel commander."[2] The most convincing testimony to the generous humanity of the insurgents was delivered at their trials, in order to hang them,—by those whom they had saved. "But even the horrors of martial law, carried out by passion and revenge,

[1] Gordon gives several instances in Wexford. In Kildare, the Duke of Leinster's tenantry were particularly harried by the men whose policy he had opposed. They punished him by depriving him of his rents, owing to the ruin of his tenantry, who, driven to despair, joined the insurgents, saying, "It's better to die with a pike in my hand than be shot like a dog at my work, or see my children faint for want of food before my eyes" (Lady Sarah Napier to the Duke of Richmond, June 27). Lord Cloncurry relates that men were left hanging along the elm avenue of Carton House.

[2] Rev. Mr. Gordon, "History of Ireland," p. 458.

were trifling," wrote Cornwallis (July 24), "compared to the numberless murders committed by our people without any process of examination whatever." The yeomanry, militia, and fencibles were all engaged "in murder and every kind of atrocity." Such were the men who, with the demoralised troops, fled like frightened sheep when Humbert landed with about eight hundred troops in the west at Killala, on August 24, and made a triumphant march of a hundred and fifty miles into the heart of the country, surrendering on September 8 to overwhelming forces. The undisciplined peasants held out to the end of the month; and, as the Protestant Bishop of Killala testified, during the entire period "not a drop of blood was shed by the Connaught rebels except in the field of war." A different result followed the courts-martial which ensued. The barbarities of Wexford were repeated, and for weeks the corpses of peasants dangled from trees along the roadsides.

VII

LAST SESSIONS OF PARLIAMENT—THE UNION

In the summer of 1798, the Pitt-Portland Cabinet considered that the abolition of the Irish legislature might be attempted with success. Mr. Pitt has been credited with the best designs in abolishing the Irish Parliament. It was his aim, we sometimes hear, to incorporate the two islands by uniting the legislatures, emancipating the Catholics, and establishing equal laws all over the three kingdoms. If such were his aims, it must be confessed that the time, the instruments, and the means employed to carry them out were ill-chosen, unscrupulous, and vile. The country gentlemen had been made "sick of independence," and were held in hand by the sustained dread of what was represented as a Jacobin insurrection. To the division of classes was added the dissension of sects. Papist rebels and Orange yeomen now seemed to occupy the stage in deadly strife, where but a short time ago Catholics and Protestants lived in general harmony. The antagonism, in truth, was exaggerated as well as fomented by those who, through perversity or panic, cared to dwell rather on acts of outrage than on acts of benevolence.[1] This had given an opportunity for drafting over British troops, who regarded all the Irish as rebellious; of Hessian troops still more ignorant and inimical. Ultimately Portland desired to send over Dutch and even

[1] Whilst the Rev. Mr. Gordon, a Protestant clergyman, records, in his "History of the Rebellion," numerous cases where Catholic insurgents saved the lives of Protestants, the Rev. P. F. Kavanagh, a Catholic priest, takes pleasure in recording "a few of the many good deeds performed by the Orange body in favour of Catholics," one being the (forcible) rescue of an innocent priest from a persecuting magistrate by an Orange yeoman named Thackaberry, in Wexford ("History of the Insurrection," p. 117. Dublin).

Russian mercenaries.[1] It must have appeared easy to terminate the life of a Parliament so dependent on the British ministry, so isolated and estranged in a country overrun with foreign troops, whilst all the agencies of terrorism were at work to alarm public opinion. No art of cajolery or corruption was left untried. In July the Cabinet had had many discussions on a change of system, and it was proposed to give small salaries to the priests.[2] This, coming at a time when the priests were often in peril of life from the junto, was designated to alienate the Catholics from the Parliament. In the autumn the members of the junto, Lord Chancellor Clare (Fitzgibbon), J. Beresford, and the Speaker, Foster, were called over to London to assist in the deliberations; but, whilst the first two urged on the Union, the Speaker dissented, and in dissenting represented the popular opinion. When, in December, Cornwallis had to admit that hostility to the Union "increases daily," he ruefully confessed that he had been too sanguine about the Catholics. "Their dispositions are so completely alienated from the British Government," he added, "that I believe they would even be tempted to join with their bitterest enemies, the Protestants of Ireland, if they thought that measure would lead to a total separation of the two countries."[3] Convened by the father of the Bar, the barristers met on Sunday, December 9. It was, said Saurin, peculiarly the duty of the Bar to speak when the legislature was

[1] "Cornwallis Correspondence," vol. iii. pp. 137, 298.

[2] Lord Auckland to J. Beresford, August 1, 1798. Beresford assured his lordship that "the whole body of the lower order of Roman Catholics are totally inimical to the English Government; that they are under the influence of the lowest and worst class of their priesthood. . . . The Dissenters are another set of enemies to the British Government. They are greatly under the influence of their clergy also, and are taught from their cradles to be republicans" ("Beresford Correspondence," August 1).

[3] Cornwallis to Portland, December 12, 1798. Next day thirty-seven of the principal Catholics, nobles and merchants, met at Lord Fingall's, but gave Cornwallis no comfort. The "temperate and liberal sentiments" at first expressed by some "were by no means adopted by the Catholics who met at Lord Fingall's, and professed to speak for the party at large" (Ibid., January 2, 1799). They agreed not to discuss the Union as Catholics, and adjourned *sine die*.

threatened with destruction. Not until October had the people of Ireland been told they were unworthy to govern themselves, and should surrender a constitution under which they and their fathers had lived happily, had risen and were rising in enviable prosperity. After dealing with the merits of the question, he declared that it was not when "a foreign army of forty thousand men were in the country," that the people should be asked to give up their constitution and surrender their legislative power. He moved that the measure was an innovation, which it would be highly dangerous and improper to propose. Burrowes, Goold, Plunket, and others, declared that the measure was beyond the competence of Parliament; that it had revived the United Irishmen; and that, if passed, it would tend to total separation. The Castle party ventured only to ask for a postponement, but they were defeated by 168 to 32. Indignation meetings of the attorneys, of the various corporations of the capital, of the county and city of Dublin, of the Queen's and King's Counties, of Louth, Westmeath, Meath, Carlow, and Clare, followed in rapid succession before Parliament met, the high sheriffs presiding.[1] One resolution, generally adopted, declared that their representatives had not been empowered to destroy the constitution, and that Parliament could not decree its own extinction.

When Lord Fitzwilliam had superseded a commissioner—placing him on full pay—because that functionary's rectitude was impeached, the viceroy was rebuked and recalled. The selfsame ministry now directed and pressed for the dismissal of commissioners and office-holders—without compensation—because these were faithful to their country and its constitution.[2] The viceroy was told to declare that the Government was resolved to press the measure "to the utmost," and (even though the legislature should decide against it) to renew it "on every occasion

[1] Other counties met after the debate in Parliament, to express similar sentiments and give votes of thanks to the Opposition, namely, Monaghan, Limerick, Wicklow, Cavan, Tyrone; also Clonmel and other corporations.

[2] Portland to Castlereagh, January 11; Camden to same, January 15.

until it succeeds."[1] The Lord-Lieutenant summarily dismissed the experienced chancellor of the exchequer and the venerated prime-sergeant, putting in their high places creatures of no account. Similar dismissals were known to threaten every office-holder who should stand by his sworn fidelity to the constitution.[2] The Government now organised a system of corruption on a vast scale. The Castle counted on a considerable majority, but still nothing was neglected. Places, pensions, and even titles were in the market; and ready money, not so secretly procurable in Ireland, was got over from Whitehall by special messengers. "Most secret," writes Castlereagh on January 2, 1799, "already we feel the want, and indeed the absolute necessity, of the *primum mobile*."[3] He wished to operate on and through the press by hiring briefless young barristers to write. Five thousand pounds was most earnestly requested "in bank notes by the first messengers." Pitt, Portland, and Grenville saw and sanctioned the request, and his grace volunteered to say that "means will soon be found of placing a larger sum at the Lord-Lieutenant's disposal."[4] Castlereagh welcomed the assurance; the funds would be "carefully applied." With great magnates other methods were employed. Lord Ely, for instance, was hesitating in London. Castlereagh requested Portland to have a proper explanation with him on the subject of his peerage, or to authorise the Lord-Lieutenant "to assure him of that favour, in the event of the measure being carried."[5] Ely found all Irishmen he met "pointedly and decidedly against the measure." It was a "mad scheme;"

[1] Portland to Cornwallis, December 21. Nothing but a conviction of this purpose "can give the measure a chance of success" (Castlereagh to Portland, January 2, 1799). Pitt was to declare this determination.

[2] The Cabinet was urged to send over office-holders living in England (Cornwallis to Portland, January 11; Camden to Castlereagh, January 15). Carhampton was amongst those to be sent, though (then) adverse to Union; he was open to pressure, and his influence was subsequently required over his son.

[3] Castlereagh to Wickham, January 2, 1799.

[4] Wickham to Castlereagh January 7. ["Private and most secret."]

[5] Castlereagh to Portland, January 5.

its only advocates absentees or strangers to the country. He had not heard a single argument in its favour; still he kept his mind free.[1] Cornwallis, however, gave him to understand that he would "not be allowed to shuffle."[2] Camden called on him, found him adverse, but "open to conviction;" his friends still awaited instructions how to vote. Pitt was brought to town, gave an assurance, and averted the opposition.[3] "The demands of our friends rise," groaned Cornwallis, "in proportion to the appearance of strength on the other side." He detested jobs, but would overcome his detestation on account of the object (January 21). The Castle set to work to manufacture addresses of confidence. These were issued to provincial autocrats whose adherence had been secured,[4] and they, moving with all the authority of yeomanry commanders in terrorised districts, procured signatures sufficient to make the addresses colourable imitations. An outline of the Union scheme was circulated. There were, however, discomforting signs. "The Catholics still continue against us," wrote Castlereagh. There had been notorious disaffection in some of the Irish regiments.[5] The Orangemen took such a "violent part" in opposition as to make an impression on the Castle's most Protestant supporters, to change Lord Shannon, and even to shake the chancellor. Nay, the British militia regiments themselves could not be

[1] Letter from the Earl of Ely, January 7.

[2] Cornwallis to Portland, January 13.

[3] Camden to Castlereagh, January 15; "Beresford Correspondence." Lord Ely slipped behind the throne on the division (January 23); Portland said he deserved every punishment. Afterwards in March (Castlereagh writes to Portland) he declared positively for the Union, and would control two members. The determination was "clogged with some awkwardness." July 8, Cornwallis reports that Ely had been induced to "promote resolutions" in countries where his property lay, but it would be highly imprudent to give him his reward till the Union was carried. Finally, he is made a marquis and British peer, as had been promised in writing by Pitt, forwarded by Portland (Cornwallis, June 17, 1800).

[4] On January 7 Castlereagh enclosed to Portland the draft of an address "which will be sent up from Cork this morning from Lord Boyle." Portland took it to the king; it was eagerly welcomed to influence English opinion, especially the English militia (January 11; Portland).

[5] Camden to Castlereagh, January 8.

trusted. When once they perceived that rebellion was over, or only a pretext, their love of liberty would bring them to the Irish side. It was necessary to influence them by confidence addresses, for "if no disposition to harm should be shown in Ireland, our militia may consider it entirely as a ministerial measure, and be more inclined to countenance than to resist the opposition to it, should it even proceed to acts of violence and outrage."[1] The hint was not lost; the "rebellion" was kept simmering to divide classes and countries, and so promote the Union.[2]

The eventful day arrived. On Tuesday, January 22, 1799, the viceroy delivered the speech from the throne, in the Upper House. Their enemies had made efforts to separate the kingdoms, he said; it was hoped both Parliaments would consolidate, as far as possible, the strength and resources of the empire. When Lord Cornwallis and the Commons had retired, issue was at once joined. Lord Powerscourt declared himself an enemy to the mischievous measure. The country had risen in prosperity under its own Parliament; it would not be calmed, but troubled, by the agitation of such a project. He challenged the competence of Parliament, and moved an amendment. Lord Enniskillen seconded him. The aged Charlemont came forward to vote against the doom of the Irish legislature. Two bishops and seventeen lay peers opposed its extinction; fifty-six approved; one, Lord Ely, hid behind the throne.[3] In the Commons, the debate began at four o'clock, and continued throughout the night till one o'clock P.M. on the 23rd. The address was moved by the son of the Marquis of Waterford, and by the brother of the notorious Judkin Fitzgerald. Sir John Parnell, late chancellor of the exchequer,

[1] Portland to Castlereagh (January 11). ["Private and secret."]

[2] Beresford informed Auckland that it was believed Cornwallis "protected the rebels, and urged them on for the purpose of promoting the Union" (January 26).

[3] Of the Castle peers, Lords Ormonde and Westmeath were notoriously deep in debt to their tradesmen, who sent in their bills and procured executions (Beresford to Auckland, January 26.) They, and others in similar condition, were easy prey to the Castle.

opposed the principle of union in a speech which extorted approval from Cornwallis. George Ponsonby, he adds, made an animated appeal to support the national pride and independence. (The viceroy had not a word to say for his own mercenary brigade of place-holders, or place-hunters.) Ponsonby concluded by moving to supplement the address with the words, "Maintaining, however, the undoubted birthright of the people of Ireland to have a resident and independent legislature, such as it was recognised by the British legislature in 1782, and was finally settled at the adjustment of all differences between the two countries." This was seconded by Sir L. Parsons, always staunch, and supported by all the independence, and almost all the talent in the House. Lord Castlereagh alone displayed ability on the Unionist side, and the effort was not great; it was completely eclipsed by the bold convincing voice of Plunket, an Ulsterman, who, speaking in the grey dawn, made the House forget the absence of Grattan. He appealed to the sacred pact which established their constitution, to their success in its defence against foreign and domestic foes; he denounced the "system of black corruption" carried on to undermine it, and the intimidation which held threats of dismissal over members to influence their votes. He challenged denial, and would prove the truth at the bar. Eminent as a jurist, he denied the competency of a Parliament, not elected for that purpose, to alter the constitution.[1] Much less was it entitled to abolish it against the expressed will of their constituents. The country gentlemen, inspirited by the county meetings, spoke warmly and in great numbers against the measure.[2] The division was taken

[1] "Sir, I, in the most express terms, deny the competency of Parliament to do this act. I warn you, do not dare to lay your hands on the constitution. I tell you that if, circumstanced as you are, you pass this Act, it will be a nullity, for no man in Ireland will be bound to obey it. You have not been elected for this purpose. You are appointed to make laws, and not legislatures. You are appointed to act under the constitution, and not to alter it. You are appointed to exercise the functions of legislators, and not to transfer them. And if you do so your act is a dissolution of the Government" (Plunket, "Life and Speeches of Lord Plunket," pp. 141, 142. London, 1867). [2] Castlereagh to Portland, January 28.

at one o'clock next day. The British Cabinet had been assured of a vast majority. From 160 to 170, or even 200, were expected to vote against 100 of the opposition.[1] When, after the division, the numbers were announced, they were found to be nearly equal: ayes for the amendment (including tellers), 107; noes against it, 108.[2] It was an unexpected and marvellous triumph. Ponsonby, following it up, gave notice that he would on Friday or Saturday, whichever was the more convenient to the noble lord in office, take the sense of the House on the principle of the measure. Castlereagh deprecated haste. The division, he said, had been a surprise; he would not persist further at present. However, on Thursday evening, the 24th, Sir Lawrence Parsons moved, on report, to expunge the consolidation paragraph from the address; and after a stirring debate, the division, taken at six o'clock next morning, showed 106 for the Government, and 111 for the constitution; giving a majority of 5 to the national party.

The result was hailed with extreme enthusiasm all over the land. Dublin repeatedly illuminated; bonfires blazed in its streets, the joy-bells were rung, and the exultant citizens drew the Speaker home in triumph. Elsewhere, the lord chancellor stood at his black and broken windows and fired on the populace.[3] Meetings of counties and corporations were held to express the sentiments of the nation, and to convey the high approval of the people to their faithful representatives.

[1] Castlereagh to Portland, January 21; Beresford to Auckland, February 6.

[2] Two members were bribed in the House. One was Luke Fox, who got a judgeship, which he disgraced (Barrington, "Rise and Fall of the Irish Nation;" "Cornwallis Correspondence," vol. iii. p. 164). The other was Mr. Trench of Galway, who spoke against the Union in the debate. He obtained "resolutions in favour of the Union" afterwards in Galway, and the title of Lord Ashtown, when it had passed (Barrington, "Rise and Fall of the Irish Nation;" "Cornwallis Correspondence," vol. iii. p. 304).

[3] Beresford to Auckland, January 24. Cork was alleged to be Unionist, but "the bells of the city of Cork were rung, and at night numberless bonfires were lighted up, in consequence of the rejection of a union by the independent and virtuous majority of the representatives of the people" (*Hibernian Magazine*, 1779, p. 135).

On January 31, 1799, Pitt brought forward the measure of the Union in the British House of Commons, moving a series of resolutions on the subject. Not being able to quote the consent of the Irish people, he laboured to prove that the settlement of 1782 was not final. He dwelt much on hypothetical differences and dangers, which might have happened or which might possibly happen. The regency question was, however, the only tangible point; but on this British parties had differed. Pitt himself had abandoned his first position, and, as his appointed chief secretary had voted for the Irish mode of procedure, it could nowise be considered hostile to that of Britain. Sheridan fought him, foot to foot, and was supported by Grey, St. John, Tierney, Lawrence, Hobhouse, Fitzpatrick, and others. On February 7 Sheridan put Pitt's professions to the test by proposing, first, that no measure should be introduced which had not "the manifest, fair, and free consent of the Parliaments of both kingdoms;" and second, "that any person attempting to obtain the same by corruption or intimidation, is an enemy to his Majesty and to his country." Pitt's majority voted this proposal down by 141 to 25. Several debates followed, in the course of which Lieut.-General Fitzpatrick bore manful and emphatic testimony to the fact that the Cabinet had established the settlement of 1782 as final, he having been secretary to the Duke of Portland, viceroy at that period. The resolutions passed, of course, and, at a conference, were communicated on February 18 to the Lords, who, a month later, took them into consideration. They were vigorously opposed by Lords Moira, Fitzwilliam, Holland, and other peers.

In Ireland the Castle party had been much taken aback by the collapse of their fancied majority. The country gentlemen, who supported them on coercion, opposed them on the Union. Many waverers left them, owing to the fervour of public feeling. Beresford thought the affair would end like the commercial propositions.[1] Cornwallis

[1] "I all along thought the Government were deceived in their numbers, and that this business was likely to end like the Irish propositions" (J. Beresford to Auckland, January 24). His son, John Claudius (grand

abandoned all hope of succeeding with the measure that session. Castlereagh, moving an adjournment from January 28 to February 7 (to gain time for Pitt's declaration), assured the House that he "should never bring it forward as long as it appeared to him repugnant to the sense of Parliament and the country."[1] In his closet he analysed, for the Duke of Portland's information, the composition of the Commons on a division; and, noting the opposition, calmly informed his grace that "of these might be bought off 20."[2] Three of the revenue commissioners had voted against the Government, four for it. From London word came that the project should be carried forward ruthlessly. Pitt wrote to the viceroy that it was the grand and primary object of their policy, and hence it was desirable (if Government were strong enough) "to mark by dismissal the sense entertained of the conduct of those persons in office who opposed." The Speaker's son

secretary of the Grand Orange Lodge), took sides against the Union. The commissioner himself kept his bed, but was able to correspond, and might possibly have modified his views, had it not been for personal matters. He bitterly resented, after the Union, the "wantonly insulting manner" in which the Irish boards were treated by the new authorities. "Can it be imagined," he wrote, "that noblemen and men of talents and abilities, men who have been high in the executive business of the country, will tamely and quietly submit to be kicked, overturned, and trampled upon, and that with the highest insult, by the new authorities that have been set up?" (Beresford to Auckland, November 20, 1804).

[1] Plowden, "Historical Review," vol. ii. part ii. p. 916.

[2] "Cornwallis Correspondence," vol. iii. p. 45. The letter is suppressed, but the analysis is given, like an extract from a trader's ledger:

"Voted with Government on the address, or on the report	113
Friends absent	39
	152
Voted against, who had been expected to vote for (most of them having distinctly promised support)	22
Voted against or absent enemies	129
Of these might be bought off	20
Vacancies	7
	178"

Thus, by Castlereagh's own statement, there was a majority against the Union of at least nineteen (probably the vacant seats were mainly in hostile hands also).

should not be overlooked.[1] Portland wrote to the same effect. Auckland wrote to Beresford that there would be "more turnings out, necessarily,"[2] and also referred to the Speaker's son. Cornwallis, having already taken action, delayed further sacrifices for motives of policy. As both parties were seeking support from the Catholics, the Liberal duke sent word that they should remain perpetually excluded, unless emancipated by means of the Union.[3]

Castlereagh had not been granted the office of secretary without some difficulty, on account of his Irish birth. Now, however, his clear unscrupulous ability was displayed and commended. On January 28 he placed before Portland the probable plan of campaign of the patriots. They would undertake questions for which ministers proposed the Union as a cure, and so cut away the ground. The evils were religious dissensions, defective connection, and commercial inequality. He was instructed to thwart their removal. On the same day Castlereagh wrote his grace another letter, dealing with the financial aspect of the case. He would despair if he were not convinced the repugnance of the country gentlemen turned chiefly on points of personal interest. Then, going into the matter still more in detail, on February 1, he calculated the resisting power of personal interest to be equal to £1,433,000.[4] Portland submitted this to the Cabinet, whilst expressing a hope that Cornwallis would, by influence, "by the means you will employ," recall those who had forsaken him in "ignorance or misapprehension of the terms on which the Union was to be proposed to them."[5] As a consequence, at the end of next month Cornwallis wrote that "the opinion of the loyal part

[1] Pitt to Cornwallis, January 26. [2] January 28.

[3] "Catholic Emancipation must not be granted but through the medium of an Union, and by means of an united Parliament" (Portland to Castlereagh, January 29). That this stratagem did not render the Catholic provinces Unionist may be inferred from Cornwallis's private letter to Major-General Ross, February 13, relating to Connaught and Munster: "The whole of the south is prepared to rise the moment that a French soldier sets his foot on shore."

[4] Memorandum, February 1; "Castlereagh Correspondence," vol. ii. p. 149.

[5] Memorandum, February 3, 4; "Castlereagh Correspondence," vol. ii. p. 149.

of the public is changing fast in favour of the Union," a change justly set down to its having transpired that a material alteration was made in the plan. Compensations were to be granted not only to borough-proprietors, and for primary and secondary interests in counties, and purchasers, but to barristers and private individuals. "Lord Castlereagh considered that £1,500,000 would be required to effect all these compensations."[1] The flesh-pots were open, and the fumes intoxicating. They attracted all appetites if they did not satisfy all hunger. On the other hand, the viceroy, being also general-in-chief, obtained practically the powers of a dictator by means of an Act enabling him to proclaim martial law, though the civil courts were sitting, whenever he pleased, wherever he pleased, without evidence of necessity, without restriction of prerogative, without control or appeal.[2] The fears of Jacobinism entertained by the country gentlemen secured him this power; ministers played upon those fears to divide the opposition, and used the prerogative to keep up the alarm and terrorise the people with the sanguinary spectacle of courts-martial month after month until the Union was carried.

The patriot party strove strenuously against the Castle for the constitution. Lord Corry, member for Tyrone, on February 15, moved that the House should resolve into committee and consider the state of the nation. Government feared that this would give the Speaker an opportunity of replying to Pitt and of binding the country gentlemen.[3] The motion was rejected by 123 to 103—a majority equal to the number Castlereagh calculated could be bought. However, the much-feared moment came in spite of all. The Regency Bill was committed on April 11, and the Speaker, having left the chair, delivered an address which justified all their apprehensions. "It was of above

[1] "Cornwallis Correspondence," vol. iii. pp. 81, 82. Mr. Ross, the editor, writes, "The plan of union proposed in 1800 embodies most of his suggestions, and the success obtained was owing to these judicious alterations."

[2] Cornwallis to Portland, March 12, 1799.

[3] Ibid., February 16.

four hours' duration," wrote Castlereagh to Portland, "embracing an infinite variety of topics, and delivered with animation and ability." It was, he reluctantly adds, "well calculated to impress every class of men with aversion to the measure of the Union." Its very completeness has, in fact, hindered its present popularity. Foster took up every argument of Pitt, dissected, and disproved it. With the minister's assertion that the settlement of 1782 was not final, he confronted the solemn declaration of the authorities of the realm. His Majesty by his messages, by the voice of his viceroy, his ministers by word and deed, the Parliaments by resolution, had declared the adjustment final. The commercial question, not settled by pact, had been arranged by mutual co-operation. It had been hypothetically asserted that the Irish Parliament might attempt to make war or peace; that, Mr. Foster pointed out, was the king's prerogative. As to a possible collision between the two Parliaments, collision was also possible between the two Houses of the British Parliament. The argument that would blend two Parliaments would also blend the two Houses. He was eminently successful in dealing with the financial and trade aspects of the question, proving the falsity of the promised advantages, showing that his country need not fear for her commerce from Britain's antagonism, and demonstrating that Ireland had increased in agriculture, manufactures, general prosperity, and population far beyond Scotland, and in a greater ratio even than Britain in the same space of time. Pitt and Dundas had quoted Scotland's progress after the Union. As regards linen—

Scotland's export was in 1706 . . .	1,000,000 yards.
,, ,, 1796 . . .	23,000,000 ,,

Foster confronted these with the Irish figures relating to linen—

Ireland's export was in 1706 . . .	530,838 yards.
,, ,, 1783 . . .	16,039,705 ,,
,, ,, 1796 . . .	46,705,319 ,,

Thus whilst in Scotland, without a resident Parliament, it was but twenty-three times greater, in Ireland, with

a resident Parliament, it had become eighty-eight times greater. In Scotland the population had increased from one to one and a half millions only; in Ireland, from one and a half to four and a half millions. He did not shrink from comparing the progress of Ireland with even that of Britain and Scotland united:

	Value.
The exports of Ireland were in 1706 . . .	£548,318
,, ,, 1783 . . .	2,935,067
,, ,, 1796 . . .	5,064,834
The exports from Britain were in 1706 . . .	6,512,086
,, ,, 1708 . . .	6,969,089
,, ,, 1796 . . .	27,621,843

Thus, he said, "in Ireland the exports rose from one to ten, and in Britain, from the year after the Union (which I have chosen for fair comparison, as it includes the Scotch trade), from one to three and a fraction." The Irish trade had grown ten times greater than it was, whilst the British had not grown four times greater. Then, taking the period before the era of independence, and contrasting it with that short brilliant time that had followed, he demonstrated the immense impulse which a free constitution had given to the trade and prosperity of Ireland.[1] This oration, impressive by its cogent logic and serried facts rather than by verbal eloquence, spoke to the reason, and the interests, as well as to the sentiment of the nation, and would have achieved the defeat of the Government, notwithstanding ten thousand copies of Pitt's speech distributed gratis, had not the Castle turned zealously to its organised methods of coercion and

[1] "I take the year 1796, because Mr. Dundas selected it, and you will observe in the Irish statements that the exports of 1783 are marked, that you may compare them with 1796 and see the great spring which the free constitution has given to trade and manufacture. The general export rose in seventy-eight years, to 1782, from one to five, and in fourteen years after 1782 from five to ten. The linen export in the seventy-eight years rose from one to thirty-two, and in the last fourteen from thirty-two to eighty-eight; so that the general export rose as much in the last fourteen years as it had done, not only during the preceding seventy-eight years, but during all time preceding: and the linen increased in the last fourteen years very nearly to treble the amount of what it had been before" (Foster, "Speech," pp. 106, 107. Dublin, Moore. 1799).

corruption. On the Regency Bill being scandalously got rid of by postponement to the "first of August," the tainting influence became very noticeable. "It would," writes Plowden, an honest Unionist, "be both false and stupid to deny that the whole powers of Government patronage, influence, and emolument were now devoted to the proselytising for the Union."[1] Both parties did their best to gain adherents: but the patriot party laboured in defence of the constitution, whilst the Government employed the resources of the nation and the powers of the Crown to upset the decision of Parliament by corrupting the representatives of the people. The meanest arts were used, and the most glaring unfairness marked its course. Thus, during the last debate of the session of 1799 (May 15), Plunket stated that the escheatorship of Munster was given to vacate seats, when Government was assured the incoming member would vote for the Union; purchase did not matter. "It was publicly avowed that voting or not voting for the Union was the sole rule by which permission would be given."[2] This was confirmed by the fact that one of Mr. Tighe's members was refused the nominal office because his successor would be an independent member. A still more flagitious case was the refusal of the escheatorship to Lieut.-Colonel Cole, called to military service in Corfu. This refusal was in deliberate opposition to constitutional practice, for the viceroy avowed that "hitherto this office has been granted without any consideration of the politics of the individual soliciting it."[3] The House was adjourned to June 1 by 47 to 32, and was then suddenly closed by a speech from the viceroy. He would not dissolve it, and so take the sense of the country upon the question, as the patriots desired, because "the favourers of the measure are lukewarm," he said; and very few would refuse an anti-Union test if it would save fifty

[1] Plowden, vol. ii. part ii. p. 967.

[2] Ibid., p. 971.

[3] Cornwallis to Portland, May 19. The trick seemed too scandalous for English opinion. He was advised in future to follow the English rule (Portland, May 25; "Castlereagh Correspondence").

guineas election expenses.[1] Nor could he deny that sheriffs had been instructed to refuse to convene county meetings, and so prevent public opinion from expressing itself,[2] When the constituencies did assemble, under the authority of magistrates, the military occasionally interfered, by "menace and intimidation" to deter free discussion[3]—a threatening proceeding in a country under military rule.

Freed from the supervision of Parliament, the viceroy set about his foul work more energetically. The opposition was "formidable in character and talents." On June 26 he sent Portland the names of those whom (in addition to Parnell, chancellor of the exchequer, and Prime-Serjeant Fitzgerald) he had now dismissed. These were Wolfe, Knox, Foster, Neville, Cole Hamilton, A. Hamilton, J. C. Beresford. The first three sacrificed a thousand a year each as commissioners of the revenue. They were worthy to head that noble "Army of Martyrs," as Auckland termed them, which the Castle created all over the country. Other gallant hearts were tempted in vain. Cornwallis went on with the evil work, groaning over its filthiness, fully conscious of his own iniquity. It was the wish of his life to "avoid all this dirty business;" but he carried it on. His was "the most cursed of all situations;" but he did not resign it. He declared he longed to kick those whom he courted;[4] but he preferred to play the hypocrite. The country, he admitted, was daily becoming more quiet; nothing impeded perfect peace but "the ferocity of the loyalists." But he persisted in terrorising[5] and in tainting,

[1] July 3. To Ross.

[2] Plowden, Plunket's Speech, vol. ii. p. 971.

[3] Plowden, vol. ii. p. 919, admits the viceroy "neglected no means" outside or inside Parliament; but that he found "the majority of the nation, however desirous of a continuance of connection, hostile to the scheme of union."

[4] Cornwallis to Ross, May 20.

[5] On March 6 Cornwallis had personally decided upon 400 court-martial cases; 131 persons had been sentenced to death, of whom 90 were executed; 418 were banished or transported—to the fleet or to Prussia (Cornwallis to Portland, February 28; Castlereagh to Wickham, March 6). Even in 1800 forty courts-martial sat ("Reports from Committee of Secrecy." London, April 1801). Assize courts were also at work.

and, while corrupting, he moaned over the corruptness of the Unionist proselytes. "My occupation is now of the most unpleasant nature—negotiating and jobbing with the most corrupt people under heaven. I despise and hate myself every hour for engaging in such dirty work. . . ."

"The demands of our friends rise in proportion to the appearance of strength on the other side. If Lord D(ownshire) declares against us, many of our recruits will insist on higher bounty." So he wrote.[1] The essential corruptness of his bargains is shown by the fact that they were confessedly contingent on the passage of the Government Bill. "Among the many engagements which I have been obliged to contract in the event of the success of the legislative Union, I have promised to use my utmost efforts to obtain an earldom for Lord Kenmare."[2] Money was obtained direct from the English secret service fund, for the corruption of Irish members.[3] Pensions, offices of emolument, were granted with a like object, and yeomanry corps were kept unnecessarily on foot whose commanders pocketed the pay of the privates, their tenants, as rent.[4]

The viceroy, on July 22, started on a three weeks' tour

[1] To Ross, January 21 and June 19.

[2] To Portland, June 28. Even professed Unionists, like the bigot Musgrave, held aloof for terms. Persons connected with Government told him he had no chance of receiving a favour "unless I made terms and obtained a specific promise beforehand." It would ease his mind to be made certain of what acceptable appointment he should get "when the question of the Union will be determined" (Musgrave to Cooke, November 1). "A few words from your grace in the envelope will secure his attendance" (Castlereagh to Portland, December 11). A barrister wrote that "Others had not concealed how circumspect they had been in making—what I despise—a dirty bargain"—but yet he prudently hinted that it would gratify his friends if he got a promise—in writing (J. D. Grady to Lord Glentworth; "Castlereagh Correspondence," vol. ii. p. 121).

[3] "Private and most secret" (January 7, 1799). Wickham writes to Castlereagh that next day a messenger should be sent off with the required remittance, and that Portland hoped soon to place "a larger sum at the Lord-Lieutenant's disposal" ("Castlereagh Correspondence"). Apparently this second sum was sent also. On December 12 Portland is asked to assist them "in the same way and to the same extent" (£5000) as previous to Elliott's leaving London. Elliott was there in September. This third sum was sent in the first week of January 1800. Others followed.

[4] Plowden, (post-Union) "History," vol. i. pp. 112–184.

in the terrorised south, "for the purpose of obtaining declarations in favour of the Union."[1] His gracious presence and promises stimulated some local magnates, who exerted their all-powerful influence on their humble neighbours, and thus a certain number of paper-declarations were got up. It was judged desirable to have some Catholic addresses. On his return to Dublin, he informs Portland of his great success, and the zeal of nearly a dozen noble landlords, including the lord chancellor. In Tipperary and Waterford he had been particularly successful; the latter, indeed, might "be considered as unanimous."[2] A month later he writes, "The counties of Waterford and Tipperary are reported to be in a state of preparation for an immediate rising;"[3] they at once were proclaimed under the Insurrection Act. The accuracy of the vice-regal diagnosis, and the value of the paper-declarations, may be determined from this instance.

A paid agent was sent through Ulster, in August, to prepare the way,[4] and the viceroy followed to obtain the expected declarations from Londonderry (lately "blockaded" for its treason), and half-a-dozen small towns or petty hamlets, all carefully enumerated. At Dundalk he was surprised by an address from a priest and some of his flock. In Belfast, great and opulent, Lord Donegal's father-in-law "doubted whether he could obtain a respectable signature," so a banquet was devised, as a public mark of approbation should be obtained "in some manner."[5] The bishop could not attend. Cornwallis avoided Down, on account of "that proud leviathan," Lord Downshire; also Monaghan, Cavan, and Fermanagh for similar causes. He reported sanguinely the complete success of his tour.[6] It is not surprising to note that, in the same week, "General Lake, who is recently returned from the north, says the people in

[1] To Ross, July 21.
[2] To Portland, August 14.
[3] To Ross, September 16.
[4] Dawson to Marshall, August 28 ("Castlereagh Correspondence").
[5] Cornwallis to Portland, October 22.
[6] To Portland, October 22.

that part of the kingdom never appeared more ripe for mischief."[1]

Great efforts were made to obtain the assent of the old nation to the Union. It has been alleged that the Catholics favoured it, but never was favour shown by acts so hostile. Their committee was the first body to denounce the project on the eve of Fitzwilliam's departure. They supported the patriots in Parliament. When Grattan seceded, and the opposition seemed crushed, their more energetic leaders took part with the United Society. Of its leading members forty-nine were Protestants, forty-five Presbyterians, and forty-two Catholics; of these were executed over ten per cent. of the Episcopalians, over eleven per cent. of the Presbyterians, and over twenty-eight per cent. of the Catholics! Thirteen Presbyterian ministers were accused, of whom three were executed; of the fourteen priests accused six were executed.[2] Of the 50,000 persons slain in battle or elsewhere, the vast majority were Catholics. Did they fall in support of the Government measure? It is true that several aged bishops were influenced by intimidation, by horror of the continuing cruelties, and by hope of favours and freedom to turn from colonial terrorism to a Union.[3] Archbishop Troy,[4] of Dublin, records that thirty-nine "chapels" were burned down in his district, a dozen of them in 1799, others in 1800. The Castle held sworn informations against him and sixty of his priests of high treason.[5] Hundreds had been executed on charges as groundless.[6] Daily around him, all over the country, "the same wretched business of courts-martial, hanging, transporting, etc., attended by all the dismal scenes of wives, sisters, fathers, kneeling and crying, is going on as usual," as Cornwallis wrote in September.[7] The old and timid pastor was told the Union

[1] Elliott to Castlereagh, October 17 ("Castlereagh Correspondence").

[2] See lists of names in Madden, *United Irishman*, 1st series, Appendix x.

[3] The four archbishops with six bishops assented, in January 1799, to state payment and the veto.

[4] Troy MSS., Madden, ibid. [5] Camden to Portland, May 6, 1797.

[6] What saved him and others was, not the clemency of the junto, but its fear of the effect on the army and militia, largely Catholic.

[7] To Castlereagh, September 26.

would bring peace and safety, and he promoted it. Major-General Asgill had called Bishop Lanigan of Waterford to account the year before, for abetting seditious sermons;[1] when the viceroy had written to London that all the lower priests were ordered at confession to urge the people to stand by their country, and Dr. Troy besought that the prelates should be exculpated from calumnies that "operated most dreadfully."[2] Even at the close of 1799 Cornwallis admitted that "the vilest informers are hunted out from the prisons to attack, by the most barefaced perjury, the lives of all who are suspected of being, or of having been, disaffected; and, indeed, every Roman Catholic of influence is in the greatest danger."[3] Under such circumstances, while some bishops held firm, many gave way, whom their flocks stigmatised as "Orange" bishops.[4]

Catholic addresses should be procured, and some were arranged. Castlereagh sent out drafts from the Castle to be signed and returned as addresses to the Castle. Under-Secretary Cooke was zealous at the work. In September they had got "a Catholic declaration from Longford. I am promoting one in Roscommon," he added.[5] It has been said that the Catholics supported the Union; but Cornwallis declared "the great mass of the people" to be United men; and of the great mass the vast majority were Catholics. In 1798 and 1799 they had their hopes fixed on France and fighting, not on petitions; the struggles, sufferings, and deaths of so many of them sufficiently spoke their convictions. When the storm abated, when it was seen that the resolution of Lord Fingal's meeting had been violated by the concoction of Castle petitions, they again appeared in public meeting as Catholics to protest against the Union. They had co-operated with the Protestants as Irishmen since Fitzwilliam's departure. Now a great aggregate meeting of the metropolitan Catholics was an-

[1] Dr. Lanigan to Dr. Troy, March 10, 1798 ("Castlereagh Correspondence").

[2] Dr. Troy to Mr. Marshall (ibid.).

[3] To Major-General Ross, November 6, 1799.

[4] Dr. Dillon to Dr. Troy, July 9 and September 1.

[5] September 18, 1799.

nounced for January 14, 1800. Town-Major Sirr, a notorious rebel-hunter, brought up his armed men, who grounded muskets with a loud clash at the doorway to deter and disperse them. It was a critical moment. Four of their old committee were among the state prisoners; Broughall, the late secretary, was in jail; Tone, their former secretary, dead. But they stood firm. A new man had arisen to them. O'Connell then and there made his maiden speech. He reminded them that they had resolved to meet no more as Catholics for political discussion, but as Irishmen. Their conduct had been taken foul advantage of; it was circulated that they favoured the Union, though multitudes of them had taken action in different capacities against it. "To refute a calaumny directed against them as a sect," he said, "they were obliged to come forward as a sect, and in the face of their country disavow the base conduct imputed to them, and to declare that the assertion of their being favourably inclined to the measure of legislative incorporation was a slander the most vile—a libel the most false, scandalous, and wicked that ever was directed against the character of an individual or a people." He reiterated the old chivalrous determination of the Catholic Committee of 1795. "If emancipation," he said, "be offered for our consent to the measure—even if emancipation after the Union were a gain—we would reject it with prompt indignation." Nay, going further, he verified Cornwallis's remark by declaring, amid loud applause, that with hearts full of desire for mutual forgiveness and affection, he would prefer a re-enactment of the penal code to the Union, and rather "confide in the justice of my brethren, the Protestants of Ireland, who have already liberated me," he exclaimed, "than lay my country at the feet of foreigners." These patriotic and high-spirited men well deserved the eulogy which Grattan bestowed on them.[1]

A Catholic address had been "promoted" in Limerick.[2]

[1] *Dublin Evening Post*, January 14, 18, 25, vol. 9: "O'Connell's Life and Speeches."

[2] Waterford supplies a standard of the value of such papers. In the contents to the "Castlereagh Correspondence," vol. ii., may be found this

The Catholics held a general meeting, and repudiated it as the expression of "partial and influenced" men, "formed without our concurrence and prosecuted without our knowledge" (January 23).[1] Two days later, Cooke's Longford address was repelled by the Catholics of that county, who declare their "full and entire approbation of the manly and liberal resolutions of the Roman Catholics of Dublin, and adopt them as our own" (January 25). Over two thousand signatures were appended, and in a few days "upwards of four thousand additional signatures" were forwarded.[2] Much has been made of the one priest and "several" Roman Catholics who addressed Cornwallis at Dundalk; but mention is suppressed of the aggregate meeting of the Catholics of the entire county (Louth) at Dundalk, when, declaring further silence criminal, they rejected all lures, and appealed to every sect of Irishmen to forget all religious feuds and support the constitution of their country against provincial dependence and irrevocable degradation.[3] The Sheriff of Monaghan county refusing to call a meeting, the freeholders met at Castleblaney, and addressed Lord Blaney, protesting against reviving the measure as contrary to "the solemn decision of Parliament and almost unanimous wish of the people," and reprobated "the corrupt, insidious, and unconstitutional means" taken to obtain signatures privately in several counties "through all the disgusting approaches of ministerial terror and ministerial indulgence." The address was signed by three clergymen: a dissenter, a seceder, and a priest—and by 4440 others (January 7).[4] Roscommon having spoken out, a Unionist protest was got up; but several alleged signatories declared their names were forged, and Mr. Crofton, M.P., denounced the forgeries and detestable means employed to gain signatures as most

summary, sparkling with unintended humour: "The Marquess of Waterford to Lord Castlereagh, on the favourable opinion of the county and city of Waterford towards the Union *and* the manifest intention of the lower classes to rise and murder the supporters of the measure!" The entire lower classes, including nearly all his own under-tenants, were thus favourably disposed.

[1] *Dublin Evening Post*, January 28, 1800.

[2] Ibid., February 1 and 4. [3] Ibid., February 1. [4] Ibid., February 4.

odious.[1] In Meath, where Catholics and Protestants were notoriously adverse, a similar Unionist declaration was got up; twenty-five freeholders and landholders detected and denounced the forgery of their names;[2] and twenty-four others, headed by a parish priest, declaring they had been duped by false representations, withdrew their names.[3] In Clare, the Catholics signed the anti-Union declaration with the Protestants.[4] In Cork, a common declaration had been presented; but later, "to refute a false representation," three parishes, with their priests leading, sent forward a separate Catholic declaration.[5]

In many places the reign of terror was so rigid that Catholics dared not petition. In Wexford, for instance, where they had fought and suffered, as never Vendéans did, the right to petition was forbidden. Edward Hay, a friend of Burke, on his return from England in November 1799, had thought of it: in one week, in 1795, he had obtained over 22,000 signatures against Fitzwilliam's recall, and presented it at the king's levee. He was threatened, by a Unionist M.P., with immediate arrest, and, as he had suffered much already, he had to pledge himself not to interfere as a Catholic.[6] Hence the Castle document stands alone. The influence of the Marquess of Waterford got up a Catholic declaration in his district, but in a few weeks he was crying for yeomanry; the "entire lower class" was about to rise, pikes were preparing, forges red-hot. Informants "laughed at the idea of Catholics at Dungannon and elsewhere signing for Union;" they said "it was better to be hanged than lose their rights, meaning the Union," and that "the Orangemen, so many of them as were averse to the Union, would join the Catholics to prevent it."[7] They

[1] Ibid., February 6.

[2] *Dublin Evening Post*, February 25.

[3] Ibid., February 15.

[4] See names, ibid., February 20.

[5] Ibid., February 18, and April 3.

[6] "History of the Insurrection," Introduction, p. xxxiii., Dublin, 1803. Hay was Member of the Royal Irish Academy, and devised a new census scheme. Like most Catholics of position, he had been educated on the Continent, and in culture was much superior to the petty despots of his country.

[7] Waterford to Castlereagh, September 9, 1799. Lord Altamont supplies another example. Writing from Westport House, he admits "the Roman

had good reason for that belief. So vehement was the opposition of the Orangemen that, when the Grand Lodge (under influence) sought to dissuade them from discussing it as Orangemen, hinting that their pledge to support "the constitution and laws of the kingdom" was sufficient, many lodges dissented. Thus Lodge 439, of which the grand secretary, J. C. Beresford, was master, declared they could not "remain tame and silent spectators of a dangerous project, which we conceive fraught with ruin and disgrace to our country, aiming at the utter extinction of our constitutional freedom and independence." They denounced it as "a base surrender of our glorious constitution," and pledged themselves to resist it by every constitutional means."[1] Thirty-six lodges in Armagh and Monaghan, containing 2400 members, issued a series of strong resolutions repudiating the Union, and bade Orangemen speak out, "lest their silence should be misconstrued."[2] In Fermanagh, thirteen lodges adopted these resolutions, and other lodges bound themselves also to defend the "liberties of Ireland" against the "abominable Union."

During the recess there were few public meetings, because the sheriffs (Castle nominees) "more studiously discountenanced them."[3] The Government exercising its usual arts in support of their obnoxious measure, "endeavoured to promote it by intrigue or enforce it by intimidation."[4] The "power of the army" was brought to bear, and also the dread of dismissal on all who held situa-

Catholics are keeping back decidedly," but says, "the priests have all offered to sign." The truth of this can be tested by the fact that the Government was then offering rewards for three priests of adjoining parishes charged with high treason. He had sent round to all the Roman Catholics of property; "the wish of most of them would be to stand neuter, or perhaps to oppose it if they had any countenance—that is the fact. Several will sign from influence, some from fear, but the majority, I believe, will pretend they have given their opinions already, and can't decently retract them" ("Castlereagh Correspondence," vol. ii. p. 327).

[1] *Dublin Evening Post*, 1799.

[2] Ibid., March 20, 1800.

[3] Coote, "History of the Union," p. 299. Dublin, 1802. The author was Unionist, but honest.

[4] Ibid., p. 289.

tions.[1] It was, therefore, possible to get up "clandestine addresses,"[2] by means against which the people protested afterwards. Even a Unionist author of the period confesses that "a great part of the Hibernian nation dreaded the approach of the Union as that of a fiend whose baleful touch would annihilate national dignity and independence," spirit and prosperity. The enforced silence of the many, as well as the exhorted or influenced declarations of a few, served the Unionists. But as the opening of Parliament approached, the population, knowing the urgency of the case, assembled in meetings—despite refusals of sheriffs—and continued to declare their protest, till protest was hopeless.

The first cry of the Government in 1800 was for more secret-service money from England. What they received was insufficient; they were in great distress for more, and more was sent.[4] At various intervals throughout the

[1] Ibid., p. 295.

[2] Speech by Mr. (Lord) Grey, "Parl. Hist.," vol. xxxv. p. 66.

[3] Coote, pp. 289–290.

[4] January 2, letter asking more than the last (£5000). Money sent, and more promised. Again, February 27, "No prospect of converts;" hopes to keep friends true; "a few votes might have a very injurious effect. We require *your assistance*, and you *must* be prepared to enable us to fulfil the expectations which it was impossible to avoid creating at the moment of difficulty." March 1, Cooke, "Our demands increase." April 5, duke anxious to send the needful; "Pitt will continue to let you have from £8000 to £10,000 for five years." "Will find out to-night what sum can be sent." May 6, "I do not come quite empty-handed." July 10, "Necessity of supplies—we are in great want." Blacquiere's business very unpleasant: succeeded in a final adjustment; "he played the true black." "Some other of our Swiss guards are pressing us hard." July 12, "We shall *absolutely* require the remainder of what I asked for, namely fifteen (? thousand), to wind up matters, exclusive of the annual arrangement." December 9, required king's letter to convert money saved off civil list to secret service: pressed to discharge engagements; also considerable sums borrowed from a person. May 6, 1801, entreats to have money matters settled. Wonders to see "Mr. A(ddington's) secret-service money so limited this year." The sum voted in England was less by £100,000 than the year before; evidently the difference was due to the great corruption in Ireland in 1800. When it is also remembered that the Irish national debt, which (according to Wakefield, vol. ii. p. 278) was in 1792 only £1,718,240, in 1795 only £3,185,990, increased (under the junto and Cornwallis) to £34,911,838 in 1801, the means of indirect bribery must have been plentiful.

session the cry was repeated, and the British treasury sent, out of its secret funds, money to pay the corrupted Unionists. The system was not new; it was adopted, for instance, in Lord Carlisle's viceroyalty, when the secretary explained that their hands were watched in Ireland, and suggested the swindling bargain, that for these secret supplies the treasury might recoup itself by charges, properly English, being put on the Irish establishment.[1] A somewhat similar fraud was also perpetrated now; for sums of money, the surplus of an excessive civil list, were secretly allocated to the payment of Unionists who had voted it. When cash was not copious, the Castle borrowed, and was repaid from the British treasury in secret. But besides the mere ready-money bribes, Cornwallis offered sixteen peerages in pledge;[2] and, in addition to all these, thirteen legal appointments, thirty promises of salaried places, at from £400 to £800, or pensions of from £300 to £500; and thirty-five of these bribes were pledged to thirty-five members of Parliament. Three of the pensions, nominally granted to others, were really for members.[3] Cornwallis, as Castlereagh urged, did "buy out and secure for ever the fee-simple of Irish corruption;" and by means of this freehold of foulness, through his "Swiss guards," who so dunned him, he forced on the Union. Such was the cohort of corruption, daily enlarging as time passed, which confronted the patriot "Army of martyrs." The most splendid bribes pressed on Bushe, Edgeworth, Hardy, Burrowes, and others, were rejected.

[1] Eden (Auckland) to Lord Hillsborough, July 15, 1781. ["Most Secret."

[2] Cornwallis to Portland, June 17.

[3] Cornwallis to Portland, February 19, 1801. When the time came for the British king and Cabinet to endorse these promises, there was some demur as to certain discreditable persons, but Cornwallis and Castlereagh held out. They were directed to carry the Union, wrote Castlereagh to Camden, June 18, and the Government could not back out of these engagements. He warned the Cabinet through Cooke (June 21), that the business would get blown: "It will be no secret what has been promised; disappointment will encourage, not prevent disclosures; and the only effect of such a proceeding on their part will be to add the weight of their testimony to that of the anti-Unionists, in proclaiming the profligacy of the manner by which the Union has been accomplished."

Under these circumstances, the session opened on January 15, with many new members in place of others who retired "upon terms." The viceroy avoided the mention of Union in his speech, but Sir Lawrence Parsons, referring to the words spoken on the abrupt closure of last session, proposed an amendment to the address, affirming their desire to maintain their independent legislature, which had given freedom and prosperity to the kingdom. He was vigorously supported by Plunket, who exposed the manner in which the few thousand signatures had been obtained for Government addresses, most of them by fear, fraud, and forgery. Fitzgerald, Ponsonby, Moore, and Bushe followed, stating the case against the Union; and Egan, at seven o'clock in the morning, was referring to the constitution of '82, when Henry Grattan entered. Worn with long illness, suffering with his nation in mind and in body, he had been induced to appear once more in the field, whose approaches the enemy had seized. He came dressed in the old volunteer uniform, his pistols in his pocket, to show that, if his frame were feeble, his heart was undaunted and his spirit daring as ever.[1] Intense excitement thrilled the House, and every member rose out of respect: the author of the constitution had come to defend it from extinction. Grattan delivered an admirable speech seated. On a division, 96 voted for, 138 against the amendment, giving Government a majority of 42, in reality only 38, for two members (for Clogher) were unseated and replaced by patriots. Immediately on the adjournment (to February 5) of the House, at ten o'clock A.M., an aggregate meeting of the citizens was held, the high sheriffs presiding, to protest against the Union, and to thank Grattan, Foster, Beresford, and Ogle. This made vain the Castle's hope that the return of Grattan might alarm the more Conservative patriots. The guild

[1] Grattan was elected for Wicklow after twelve o'clock on the night of January 15. Henry Tighe got the return, and galloped into Dublin, reached Bagot Street above five o'clock, and roused Grattan. He had been very ill but was carried in a sedan chair to the House. He expected to be provoked to a duel, and "pistolled off," but braved the danger.

of merchants met with the same object, and warmly thanked their Roman Catholic fellow-citizens for their manly and patriotic conduct. The yeomanry, Orangemen, and Catholics[1] were called on to form a solid band to resist the Union. The Castle grew alarmed, and looked out for troops. An opportunity for wreaking vengeance on an eminent opponent was discovered. The Marquess of Downshire was courted, until he resolutely took his place with the patriotic opposition. In conjunction with W. B. Ponsonby and the younger Charlemont, and authorised by thirty-eight county members, he issued a circular, January 20, stating that petitions to declare the real sense of the freeholders would be expedient, and asking recipient, if he approved, to use his influence to have such a petition "from your county." Some of these went to officers of Downshire militia, and this was declared a military offence, though Lord Downshire denied that he ever appealed to them as soldiers. The terms of the circular proved his truth. But Cornwallis, feeling "his own influence at stake,"[2] got him dismissed as colonel, as Governor of Down, and as privy councillor.

There was no disapprobation when "Sir James May, collector of the port of Waterford, assembled his yeomen on the general parade of that city, and left it to their option whether they would sign in favour of the Union or be shipped to Botany Bay."[3] They signed.

The Castle calculated chances, and felt the case doubtful; "some of our unwilling supporters" were leaving, being heartened by popular sentiment. Bribery became more profuse. Castlereagh calculated on a majority of 64;[4] Auckland wanted a majority of not less than 60.[5] When

[1] The Roman Catholics "are joining the standard of the opposition" (Cornwallis, January 31).

[2] "Cornwallis Correspondence," p. 179. To Ross: "Whether the measure may appear strong in England, I cannot say, but it is perfectly suited to the genius of Ireland. All our friends say that by this act of vigour I have saved the country and carried the Union" (February 13).

[3] MacNeven, Introduction, p. xvii. 1807.

[4] To J. King, January 31.

[5] To Beresford, February 4.

the House met on February 5, Lord Castlereagh outlined the advantages derivable from the measure in his most plausible style. He was strenuously met; and on a division had but 158 to 115—a majority of only 43. "When the number of placemen, pensioners, and other influenced members is considered," observes Plowden, "the minister had but slender ground for triumphing."[1] Twelve of the Castle's unwilling friends had voted for the country; the situation appeared critical.[3] Petitions came in great numbers from the counties and corporations against the measure; Pitt wished for counter-petitions, but could only get a miserable few, the Government not daring to risk public meetings.[3] Nevertheless, the measure was pressed on. In the debates which followed, Foster pointed to the fact that the Irish House included country gentlemen, merchants, lawyers, and men of all professions; removal to London would exclude the commercial and professional elements. Every article was fought against. Proposals were made to address the king, to inform him of the actual

[1] "Historical Review," vol. ii. p. 1024. "Promotions, grants, concessions, arrangements, promises, were lavished with a profusion never before known in that country."

[2] In the Lords, of peers present, Government had a majority of only thirty-four; proxies of absentees made it forty-nine.

[3] "Castlereagh to Beresford, April 10. Mr. (Lord) Grey, in the English House, aptly compared their conduct to that of Buckingham getting the crown for Richard III.:

> "Some followers of mine own
> At the lower end of the hall hurl'd up their caps,
> And some ten voices cried, 'God save King Richard!'
> And thus I took the vantage of those few.
> 'Thanks, gentle citizens and friends,' quoth I;
> 'This general applause and loving shout
> Argues your wisdoms and your love to Richard.'"

Two-thirds of the county members, and the representatives of all the chief cities and towns, he said, opposed. Of the Unionists, 116 were placemen; some English generals, without a foot of ground in Ireland, completely depended on Government. To "pack" Parliament, sixty-three seats had been vacated, their holders getting nominal offices. The petition from Down, he adds, was signed by 17,000; the counter-petition by only 415. Against the measure 707,000 signed; for it only 3000, and some merely asked discussion. Twenty-seven counties and almost all corporations petitioned against it ("Parliamentary History of England," vol. xxxv. p. 66).

feeling of the nation, and again to ask him to dissolve Parliament and take the sense of the electors on so important a change. The Government rejected every motion by its hired majority. On May 26 Grattan, having in the meantime been forced into a duel with Corry, opposed the committal of the Union Bill in a memorable speech, and concluded with an eloquent peroration, ending thus: "Yet I do not give up my country. I see her in a swoon, but she is not dead; though in her tomb she lies helpless and motionless, still, there is on her lips a spirit of life, and on her cheeks a glow of beauty.

> "'Thou art not conquered; Beauty's ensign yet
> Is crimson in thy lips and in thy cheeks,
> And Death's pale flag is not advanced there.'"

Lord Castlereagh reprobated this as prophetic treason and rebellion,[1] but his majority of 45 fell to 37 on a second division this night—a strange circumstance, as, indeed, the smallness of the majority at most was remarkable, seeing that fifty-six members held offices "at pleasure."[2] Lord Corry, member for Tyrone, made the final effort of the party, moving a long address to the king against the completion. This was intended as a large protest and appeal to posterity.[3] The opposition peers also, about twenty, placed on record their solemn protest. On June 7, the Bill was read in the Commons a third time and passed after a division, many members, "finding all useless," as Grattan said, "retired with safe consciences, but with breaking hearts." At the gate without, Curran, hearing the result, turned to a member of the United Society and in bitter indignation exclaimed, "Where are now your thirty thousand men?"

Evidence had been given "in committee" of decay of trade, owing to the agitation and prospect of the Union. Alderman Darley had fewer men by three-fourths employed in building than the preceding year.[4] The export

[1] Cooke to King, May 27.

[2] "Cornwallis Correspondence," official return, vol. iii. p. 343.

[3] Plowden, Appendix cxxi.

[4] *Dublin Evening Post*, "Parliamentary Intelligence," March 18, 1800.

of fine cloths, which had risen from 8600 yards in 1780, to over a quarter of a million in 1781, to over a third in 1782, over a half in 1783, to two-thirds in 1784, and to over three-fourths in 1785; which had kept a respectable level during the foreign wars, standing at 174,000 in 1796, and 150,000 in 1797;—fell to 33,000 in 1800, and to 3800 yards in the first year of union. Coarse cloths shared the same fate. Starting from 494 yards in 1780, they reached 40,000 in three years; in 1796 they stood at 128,000 yards; in 1800 at 2196; and in the first Union year at 550. On the other hand, imports from British manufacturers of the finer cloths rose from 539,000 yards in 1796, to 1,265,000 in 1800; and of coarse cloths from 1,175,000 to 2,233,000. They overstocked the market, to ruin the Irish manufactures, and succeeded. Education suffered; schools which four or five score young nobles used to frequent decayed and disappeared.[1] It was the avowed policy of the Cabinet to discourage the teaching of the Irish "better orders" in Ireland, and encourage them "to study and take degrees in either of the two English universities," instead of Dublin.[2] This policy succeeded. The Irish capital, of course, felt the removal of the Parliament most severely. House-property fell, in some cases, to less than a third its former value.[3] Its social life for brilliance has been likened to that of Paris, whilst it was more convivial, but not intemperate.[4] The viceroy held his levee on Sunday; on Sunday afternoon, the magnates assembled on the north circular road, on which "magnificent drive I have frequently seen," says Lord Cloncurry, "three and four coaches-and-six, and eight or ten coaches-and-four passing slowly to and fro in a long procession of other carriages,

[1] Cloncurry, "Personal Recollections," p. 7. 1847.

[2] Portland to the Lord-Lieutenant, August 31, 1799 ("Castlereagh Correspondence"). The primate's bequest of £5000 for a university in Armagh was therefore let lapse, particularly as "schismatics and separatists" (dissenters) might profit by it.

[3] Mornington House, bought from Marquess Wellesley in 1791 for £8000, was sold in the year after the Union for £2500, by Cloncurry ("Recollections," p. 8).

[4] Ibid.; and De Latocnaye, *Promenade*.

and between a double column of well-mounted horsemen. Of course the populace were there too, and saluted with friendly greetings, always cordially and kindly acknowledged."[1] In the evenings they promenaded in the Rotunda, tea being served; while amateur theatres and operas were customary. Letters were cultivated; publications flourished. With the Parliament the splendour passed away, and Dublin seemed darkened and deserted, as if a plague had smitten it. "The Unionists are now few in number," observes Wakefield. Castlereagh had settled in England, his measure accomplished. "Its supporters have withdrawn themselves from public notice, under loads of wealth, that they may enjoy in retirement the rewards of the infamous and the corrupt means by which it was effected."[2] Dublin ceasing to exist as a centre of social and of political life for the nation, its position as such a centre was not taken by London. The higher orders, indeed, rapidly melted away, selling their mansions to Government for offices or barracks, to societies, to merchants, or to a mendicity body. They passed out of the country's ken and became aliens. The majority of the people, repelled

[1] De Latocnaye and Cloncurry.

[2] Wakefield, "Account of Ireland," vol. ii. p. 392. 1812. He was an Englishman and a friend to the Union, but he abhorred the arts that "spread venality" and taught men "to barter the most sacred rights of their country for personal interests." He scorned to deny the offence or to plead for the malefactors, as recent writers have done. Cornwallis himself was fully conscious of the iniquity of his action. Writing to his friend Ross the previous summer, June 8, he says, "When it is impossible to gratify the unreasonable demands of our politicians, I often think of two lines of Swift, speaking of the Lord-Lieutenant and the system of corruption—

> "'And then at Beelzebub's great hall
> Complains his budget is too small.'"

The passage in its complete form illustrates his meaning and situation:

> "Thus to effect his monarch's ends,
> From hell a viceroy devil ascends,
> His budget with corruption crammed,
> The contributions of the damned,
> Which with unsparing hand he strews
> Through courts and senates as he goes;
> And then at Beelzebub's black hall
> Complains his budget is too small."

from Westminster, turned their political affections once more to France, subsequently to America. The worst of all was that the great force of national sentiment, which had for a time united the recent colony and the old nation, which always, when fostered, tended to overcome sectarian animosities, was now broken, and the divided sections strove each for its own object, and were taught to regard the neighbour as a foe. Where formerly there was a struggle of political parties, there now appeared a struggle of religious sects, and next a war of classes.

Strange to say, the bitterness of the change induced by the Union was felt keenly by those who contrived it. Commissioner Beresford resented the intrusion of "English ideas,"[1] exposed pretences about increased revenue,[2] and demanded whether it was supposed that Irish noblemen and men of the highest talents, "will tamely and quietly submit to be kicked, overturned, and trampled upon, and that with the highest insult, by the new authorities that have been set up?"[3] This account of the life of the independent Irish Parliament may well end with the words in which its executioner appraised, after four years' experience, the system set up in its stead: "I do not conceive," he wrote to Lieut.-General Ross, "that the present plan of governing Ireland by a king's lieutenant, acting under a minister's deputy, can long succeed"[4]—an unexpected prophecy and condemnation which time has verified.

[1] "I understand that your treasury has determined to take the management on themselves, and have already made certain regulations. Surely it would be prudent first to understand the nature of our revenue, and the difference that exists between it and that of England. If they proceed solely on English ideas, they will overturn everything" (Beresford to Auckland, November 2, 1802).

[2] Increase was due to the peace, and to the removal (by Irish legislation) of the prohibition on distilling with malt; this made a difference of a million (ibid.).

[3] Beresford to Auckland, November 20, 1804.

[4] Marquess Cornwallis to Lieut.-General Ross, October 10, 1804.

PART III

FROM THE UNION TO CATHOLIC EMANCIPATION

1801–1829

By Dr. J. H. BRIDGES

I

SOCIAL CONDITION OF IRELAND AT THE BEGINNING OF THE CENTURY

On January 22, 1801, Parliament met at Westminster, and in conformity with the Act of Union, a hundred Irish representatives took their seats. It was remarked by a foreign observer[1] some years afterwards that, when the two divisions of the larger island were brought under a common legislature, a common name had been found for them. None such was found for the United Kingdom of Great Britain and Ireland. Whether the link between them was to be more than verbal events were now to show.

The first Irish measure of the united Parliament was one of sinister significance. On March 12, Lord Castlereagh moved the continuance of the Acts for the suppression of Irish rebellion, and for the suspension of Habeas Corpus. This was enacted at first for three months, and afterwards extended for a year. A Bill of indemnity was passed for all acts of martial law done since 1793.

For many years to come, similar proceedings, together with new loans, and new devices for increasing the productiveness of excise, formed the sum total of legislation for Ireland. The fires of rebellion had been quenched, and

[1] De Beaumont.

had left a desolation which was mistaken for peace. From time to time, when the sullen murmur of discontent rose into a higher key, when famine came, or when arson and murder were unusually frequent, suggestions were made that the state of the country should be officially examined; but by one ministry after another these proposals were steadily set aside. That Ireland was an unknown country was not denied; that she laboured under weighty grievances was strongly suspected; but the dread of what might follow from stirring up the troubled waters always prevailed. The struggle with Napoleon absorbed men's thoughts and energies, and the result was that for nearly a quarter of a century England governed Ireland blindfold.

It will be well to take this occasion for attempting the survey that the English Government refused to make. What was the state of Ireland at the beginning of the century? Materials for an answer are not wanting. What English officialism refused was effected by the energy and public spirit of Mr. Edward Wakefield, an English landowner, a practical cultivator, a scholar, and an enlightened economist. His "Account of Ireland," the result of two years of personal observation carried out systematically in almost every county, is a singularly complete and comprehensive survey of the subject from the physical and from the social side.[1]

Ireland, at the beginning of the century, contained a population of about four and a half millions. The number cannot be precisely stated, for among the strange perversions of party spirit none was more significant than the unwillingness of Protestant and Catholic to submit their counter-statements to test of arithmetic. We are reduced, therefore, to depend on such data as the returns made of houses for the collection of hearth-money—returns which

[1] Wakefield was the father of Edward Gibbon Wakefield, the well-known colonial reformer. His work, in two quarto volumes, was published in 1812. The statistical surveys of Newenham, and those made for each county by the Dublin Society, are also of much value; though the latter are coloured by the position of their authors, who, being usually land agents or Protestant clergymen, were hardly free to speak of the subjects of rent and tithe.

have a special interest of their own, since they tell not only the number of the houses, but their quality.

From one of these returns, it appears that in 1791 there were 701,102 houses in Ireland. Of these 112,556 were exempt from the hearth tax of 2s., as being inhabited by "paupers," 21,866 were exempt as newly built, and of 15,052 the returns were imperfect. There remained 552, 628 houses. Of these 483,990 had only one hearth. Adding to these the pauper dwellings, it will be seen that eighty-five per cent. of the houses were of the poorest kind. Of houses with more than two hearths there were 36,437, or five per cent. of the total number. In Connaught there were only 2000 of such houses.

These figures are from the return of 1791. Two years later Catholics received the elective franchise. The multiplication, for electioneering purposes, of 40s. freeholders had not, therefore, as yet begun. There can be no doubt that a similar return made ten years later would have shown a larger increase in one-hearth houses.[1]

The land tenure of Ireland at the beginning of the century was, in all essential features, similar to that which has become so familiar to us in recent years. It has sometimes been supposed that the Devon Commission of 1843-5 was the first recognition of the fact that between the English and the Irish landlord there was no similarity but in name. Between the statement of this distinction by the Devon Commission and the legislation that followed from it, nearly thirty years were allowed to pass. But the contrast had been clearly stated by Wakefield more than thirty years before.

[1] Wakefield (vol. ii. p. 687) gives this return as the latest extant in 1810. The author of the return, Mr. Wray, inspector-general of hearth-money, states that among occupants of one-hearth houses were to be found tenants occupying forty acres of arable land ; so that poverty is not necessarily implied. It is interesting to compare this with the state of house accommodation fifty years afterwards, reported by the Census Commissioners of 1841. The number of houses had nearly doubled. Of the four scales of accommodation which they distinguish, twenty-two per cent. were of the first and second class. But there were still 491,809 families living in mud hovels with one room (pp. xiv-xvi).

"In Ireland, landlords never erect buildings on their property, nor expend anything in repairs."[1] Amidst very numerous differences of tenure, perpetual leases, leases for short or long periods, division into large or small farms, encumbrances or freedom from encumbrance, this was the one condition which Wakefield, travelling from county to county, found nearly constant. The landlord was not, as in England, a partner in agricultural production, investing capital in fencing, drainage, farmhouses, and cottages, and bound to the cultivator by social and prescriptive ties, but simply the receiver of a rent-charge. From time to time this increased, as the labour of others or the increase of population made occupation of the soil more valuable; but in respect of it, with few exceptions, no obligations were recognised beyond those of neighbourly feeling, where this might happen to exist. In fact, Irish landlords are to be compared, not with English squires, but with the ground landlords of London. This is the fundamental fact of Irish agricultural economics, which it has taken England, accustomed to a widely different system, three quarters of a century to learn.

The very towns, in many cases, were the property of landlords. "It is well known," Wakefield observes, "that houses are dearer in some of the most remote corners of Ireland than in the best parts of London." This, though partly accounted for by the enforced residence of the military, depended mainly on the monopoly of individual ownership. "The whole town of Belfast, every brick of it, belonged to one proprietor, who had it in his power to exact whatever rents he might think proper."[2]

The relation between landlord and tenant in Ireland was explained with perfect clearness to Parliament, so soon as Parliament thought it worth while to inquire into it, by Mr. Frankland Lewis, who had acted on the Education Commission, and also on the Revenue Commission of 1823. "It is impossible," he says,[3] "for any person who

[1] Wakefield, vol. i. p. 244.

[2] Ibid., p. 248.

[3] "Evidence taken by Select Committee of House of Lords, on the State of Ireland," 1825, p. 40.

knows the relation between landlord and tenant in England, not to be struck with the differences in the relation between landlord and tenant in Ireland. Nothing is more striking in Ireland than that a number of burdens which English landlords are willing to take upon themselves the Irish landlords do not find it necessary to take upon themselves. In the maintenance of a farm in England, all the expensive part of the capital employed upon a farm is provided by the landlord: the houses, the gates, the fences, and the drains. Everybody knows that in Ireland that is not the case. And at the same time the landlord obtains as rent in Ireland a much larger proportion of the value of the produce of the land than he obtains in England. In parts of Ireland, it appears to me that the landlord sometimes obtains for rent more than is produced by the land. In the northern parts of Ireland, where linen-weaving is established, more goes to the landlord, in some cases, than is produced by the land. I believe, in some parts of Ireland, where the land is extremely subdivided, and where the cottier tenants are persons who live partly by labour for hire, and partly by what they can extract from the small portion of oats and potatoes, and the cabin they have, they pay more rent than is actually the produce of the land. I have been informed there are parts of Connaught where a man plants his potatoes at the proper season, and shuts up his cabin and goes to England and labours, and perhaps his wife and children beg about the roads; and when he comes back to dig his potatoes, with the wages of his English labour in his pocket, he is able to pay a larger sum for rent than he could have extracted from the land."

It is not to be supposed for a moment that Irish landlords, or even that the majority of them, were hard or grasping men. In Ireland, as in England, there were good landlords and bad; but the standard on which the estimate was founded was wholly different. The distinction was not that with which Englishmen are familiar, between the landlord who spent money freely in works of permanent improvement, charging reasonable interest on the outlay, who remitted rent in bad seasons as a matter of course,

and who in every way promoted the well-being of his neighbourhood, and the landlord who did these things less wisely and more grudgingly. In Ireland the difference between bad and good landlords was more like that of creditors with a giant's power to crush their debtor, who used that power to the full, or who refrained from using it.

This power was, in the majority of cases, delegated to middlemen. With the exception of that part which the owner or his agent had parcelled out in 40s. freeholds for political purposes, the land was held in leases of from twenty to one hundred and fifty acres, granted for varying periods,[1] but very commonly for twenty or thirty-one years, with one or more lives. The land so held was sometimes cultivated by the lessee. But it was a far more rapid road to wealth to parcel it out in patches of five, three, or even one acre, at extravagant rents to cottiers on yearly tenancy, or to let larger tracts on the same terms to groups of families in village partnership. The counties of Monaghan and Tyrone in Ulster, of Roscommon in Connaught, were striking instances of the first system; Galway, Mayo, Sligo, Cork, and Kerry, of the second.

The rents paid by the middleman to the landlord were high; those received by the middleman from the cottiers extravagant. A great rise in the value of land had taken place in the last quarter of the previous century. The Act of 1778, allowing Catholics "to take, hold, and dispose of lands in the same manner as Protestants," had unlocked the frozen stream of agricultural industry. Commerce and manufactures had thriven during the brief period of Parliamentary independence. The tide of prosperity had been checked by the rebellion, and by the increasing burden of the war-taxes. But the price of corn steadily rose, and with it the price of land. Thirty-five to forty shillings per

[1] Wakefield noted many cases of perpetual leases, or leases for nine hundred and ninety-nine years, where the tenant was, of course, nearly in the position of a landlord, except that the latter reserved mineral wealth (vol. i. p. 243).

English[1] acre was a common price for land; and in many instances double that amount was given.[2]

While Wakefield was in Ireland, many of the leases made in 1778 were falling in. On Lord Fitzwilliam's estates in Wicklow, which in all respects were well managed by the Irish standard, though the owner was an absentee, "preference was always given to the old tenants, if they were desirous of renewal."[3] But this procedure was a rare exception. "In Cork," says Mr. Townsend, in his "Statistical Survey," "many landed proprietors advertise to let to the highest bidder, without any consideration for the claim of the occupying tenant. Hence the frequent failure of tenants, and the generally unimproved state of the country. The farmer, who sees his lease drawing near a close, and feels no animating hope of a renewal upon reasonable terms, yielding to the emotions of despair, racks and impoverishes the land he has so little chance of retaining."[4] In Kerry, we hear that "the usual practice is to expose land to public *cant* (auction), and he who bids most obtains it. The unfortunate cottier, if he wishes to procure a small tenement, must then apply to the lessee, and submit to pay an extortionate rent, which is wrung from him by this petty lord, who by this means acquires a considerable income."[5]

From almost every part of the country the condition was the same. "The holder of land," says the reporter from Queen's County, "prefers a certain profit rent to the risk of manufacturing it himself; his successor is caught by the same bait, till at last it descends to the miserable peasant, to whom it is rated at double its value at a rack-

[1] The English acre is five-eighths of the Irish.

[2] "Mr. Quin, of Adare, county Limerick, was offered for a farm of 230 acres (Irish), one-third arable, £6 per acre." Near Castle Oliver, "land, though in the midst of mountains, lets at £4 per (Irish) acre." In Tipperary, Wakefield estimated the average rental at £3, 3s. per (Irish) acre; but he found, near Marefield, a farm of twenty-five acres without a house on it let at twelve guineas; and near Clonmel, another farm at fourteen guineas (Wakefield, vol. i. pp. 267, 277).

[3] Ibid., vol. i. p. 283.

[4] Townsend, "Statistical Survey of Cork," p. 583. The writer was a Protestant clergyman. The survey was published in 1810.

[5] Wakefield, vol. i. p. 263.

rent, who is without capital to work it, and, for the few seasons which he perhaps may hold it, is obliged to till it incessantly with corn crops till its vitals are exhausted. Then it is left during a year of forbearance, and perhaps another in the stages of ejectment, in a slovenly coshier fallow, overrun with weeds, and thus its improvement, had it been in judicious hands, and let out at a reasonable rent, is retarded for a length of time."[1]

It would be hardly credible, were it not confirmed by witness after witness, that these cottiers frequently paid their rent twice over. "I have frequently seen," says Wakefield, "the cattle of the occupying tenant driven to the pound, and after a certain number of days sold, when he had paid his rent to the middleman, who had failed to pay it to the head landlord. The numerous instances of such distress, which every one who has resided some time in Ireland must have witnessed, are truly deplorable; and I believe them to be one of the chief causes of those frequent risings of the people under various denominations which at different times have disturbed the tranquillity of the country, and have been attended by atrocities shocking to humanity and disgraceful to the empire."[2] A law was passed in 1816 to prevent this; yet it would seem that, nine years afterwards, responsible witnesses speak of it as an evil for which no adequate legal remedy had yet been provided. Mr. J. L. Foster and Mr. T. L. Lewis, when examined before the Parliamentary committees of 1825, stated as fact beyond dispute that "often the property of the occupying tenant is seized for rent which is not due from him individually. There are many persons who hold as intermediate tenants between the head landlord and occupier, each of them enjoying a certain portion of profit rent; and if any one of these fails in the payment of the rent due to the person of whom he holds, the remedy is sought for upon the land, and the stock of the occupier is driven off

[1] Sir C. Coote, "Survey of Queen's County," p. 20 (quoted by Wakefield, vol. i. p. 273). The original report for this county is not in the British Museum. "Coshier" is neglected stubble.

[2] Wakefield, vol. i. p. 244.

and sold, when he, perhaps, has paid up every farthing of the rent due from him."[1]

It remains to speak of another and a very potent motive for subdivision of the soil—the desire of proprietors and of middlemen alike to increase their political influence by granting leases for a life, the annual value of which could be sworn to amount to 40s.[2] The oath was frequently false, the system of registration being lax and slovenly in the extreme. It was not pretended that the voter exercised any free-will throughout the business. He was taken to the registration office and to the poll by the landlord's "driver," otherwise employed in driving distrained cattle to the pound. His trouble and loss of time was part of the price he paid for his holding. There was no reason why he should take any interest in the matter. The member elected made no pretence of caring for his constituents. He voted in most cases steadily against the claims of their religion. He supported every new law which made ejectment easier. Every suspension of Habeas Corpus or renewal of the Insurrection Act had his full consent. He resisted inquiry into the state of the people as stoutly as any Tory squire on the other side of the Channel. He voted in Parliament as he was told to vote, and expected his tenants to do the same. That the time would come when these freeholders would refuse to walk before his driver to the poll, seemed as wildly improbable as that his

[1] See "Evidence before Select Committee of House of Lords," 1825, pp. 40, 54. It was cold comfort for the tenant thus ejected to be told that the law in England was the same. Speaking of the remedial Act of 1816, Mr. Foster observes, "I have scarcely heard of any proceedings under that clause. I conceive that the unfortunate tenantry, who are ruined by the circumstance under consideration, are so annihilated that they have not the means of having recourse to the remedy."

[2] Lord Carbery stated to the House of Commons Committee of 1825 (p. 617), that the principal manufacture of 40s. freeholds took place under middlemen. Often, however, it was managed by the landlord's agent. It was the practice to insert in the lease the life of some old man not likely to live long after the event for which the freehold was created. See also Colonel Currey's evidence, p. 305 of "Report of the House of Commons Committee of 1825." The number of 40s. freeholders in 1825 appears to have been about 100.000. In Ulster there were 28,492; in Munster, 41,256. See Appendix, Wyse's "History," p. cxi.

tenants' cattle should refuse to be driven to the pound. Meantime the fact that they were freeholders—in other words, that they had a life-interest in their holding—put them in a better position than that of tenants-at-will.

Besides the freeholder's vote, besides his rent, the landlord was often paid a third time by his labour. In the lease were inserted words which bound him not merely to work out his rent in labour, but to work for his landlord or farmer whenever required, at the fixed rate of 6d. a day. "A cabin and an acre of ground to plant potatoes in, generally held at 40s. or 50s. per annum, under an obligation of working for the farmer at a low rate (6d. per day), forms the labourer's chief means of subsistence."[1] The wages, such as they were, were usually paid in kind; the balance, if any, being struck at very long intervals. That labour so paid was as inefficient as the labour of slaves in a plantation, paupers in a workhouse, is obvious. "It is an evil thing," said the old Roman, "for land to be tilled by labourers without hope." The sure result was that the standard of industry was debased to the lowest grade. An English engineer, who had carried on irrigation works in various parts of Ireland, complained of the difficulty of finding labourers. "These people," he said, pointing to the unemployed all round him, "are glad to get a holiday and enjoy a little relaxation from their toil at a pattern or a fair. They are only paid 6d. a day for their labour, and seldom obtain a settlement in less than six months. By the terms of their lease they are obliged to work as many days as will pay their rent, and when they have accomplished this it is difficult to get them to work at all; for if they worked at home, their landlords would see them and order them to their domains; so that they must remain idle, or work for their landlords for the paltry sum of 6d. a day."[2]

[1] Townsend's "Survey of Cork," p. 203.

[2] Wakefield, vol. i. p. 511. That the system of paying for labour in "conveniences," *i.e.* in kind, which of course deprived the labourer of all control over the accuracy of his payment, was widely diffused, is seen by Wakefield's examination of fifty neighbourhoods taken from the four provinces, from which it appears that in thirty the wages were paid, not in money, but in kind (see vol. i. p. 514).

In plain English, the Irish labourer was compelled to work for miserable wages paid in truck. But what the peasant saved from landlord or middleman by work at home or in the English hayfields was not his own yet. If he took his produce to market, there was toll to pay on every item; for the town was the landlord's property. There was county rate fixed by the grand jury, landlords all of them, as anxious for the repair of roads that passed near their own houses as they were heedless of remote villages. And beyond all these, and worse than these, there was the tithe-proctor.

Tithe, when uncommuted, is the worst of taxes, because it is a tax on industry as well as on capital. Rent was hard to be borne; still, as Grattan said in his famous speech of 1787, "it avoids the essential evil of tithe, the evil of being an arbitrary tax rising with industry. The rent is fixed before the crop is sown. By extraordinary labour a cottier can work himself out of his heavy rent; but that heavy labour produces a heavier tithe; extortionate rent compels him to extra labour, and for that labour tithe punishes him."

The Act of 1778, enabling Catholics to take leases, had unlocked the treasures of the soil. To the landlord glad to give a long lease at double the rent he had received before, it was profitable; to the middleman, dividing and subletting at rack-rents to the cottager, it was still more profitable; but to no one had it been so gainful as to the Protestant clergyman. The value of livings was trebled, often quintupled. From £60 to £100 had been the common value of an Irish living; £300 was now looked on as a poor parish. The average rose shortly to £400, and some rose to £1000.

The Protestant clergyman avoided, as was natural, direct contact with the Catholic farmers and labourers who maintained him. He made his arrangements with the tithe-proctor, an agent than whom in Irish eyes the landlord's driver was hardly more hateful. These men, by farming the tithes, reaped a rich harvest from their employer. But they also extorted an extravagant commission,

often of 2s. in the pound, from the owner of the crop. "What right," asked the indignant Grattan, "had the clergyman to throw his agent on his parish? As well might he make them pay the wages of his butler or his footman." The answer was readily supplied. It was blackmail asked and given in order that the assessment might be moderate; and it was demanded and given still when the assessment was strained to the uttermost. The proctor's fees, paid at first for a low valuation, were soon paid for a high one.

Now that the Irish Protestant Establishment has been swept away, it is easy for us to see that no tax more hateful has ever been levied on a European population, than this tax on labour levied on struggling farmers and labourers for the support of an alien religion. But, hateful as it was everywhere, to Ulster Presbyterian as to Catholic, it was in the south of Ireland that its full oppressiveness was felt and resented. Tithes were taken there on two things touching the peasant's life closely, and not taxed elsewhere—bog-turf and potatoes. The clerical income derived from potatoes was enormous. In some cases it exceeded the rack-rent of the land. A case is recorded where eleven acres of land, let for a guinea per acre, paid £14 in tithe. The details of one of the cases (Ryan *v.* Greene) cited by Grattan from the records of the vicar's court of Cashel, will serve as a sample of the rest. The farm consisted of twenty-one and a half Irish acres, and it was tithed as follows: Potatoes, four and three-quarter acres, were estimated to produce 4256 stone; the tithe, at 4d. per stone, was £5, 6s. 3d. Flax, two and a half acres, producing 160 stone, at 4s., was tithed at £3, 4s. 0d. Oats, four and a quarter acres, producing 252 stone, at 6d., were tithed at £1, 1s. 6d. Pasture, ten acres, valued at 30 tons of hay, tithed at £6, 16s. 6d. The total tithe was thus £16, 8s. 9d., or rather more than 15s. per acre. It will be seen that the potato land paid in this case £1, 2s. 4d. in tithe, or about 13s. 5d. per English acre.[1]

[1] Grattan's speech on Tithes, February 14, 1787.

The way in which the tax was assessed was oppressive and arbitrary. Legally the farmer could set out the tithe in bulk, giving two days' notice, and let the proctor take his tenth. Practically it was impossible to do so; for if the clergyman or his officer did not choose to attend, the crop might rot on the land, and the farmer could claim neither compensation nor deduction. If three farmers in a parish fixed the same day, it was held to be conspiracy, and brought them within the vicar's courts. Practically, therefore, the tithe-proctor's estimate, made either when the crop was sown or when it was ripe, was one from which there was no appeal. In the ecclesiastical courts the judge was a clergyman or appointed by a clergyman. Hope of redress there was none. The case above quoted is a signal instance of this. The year 1783 was a year of scarcity. The quantities of produce were estimated for a year of plenty, but the prices to be paid were famine prices.

Such was the tithe system in Ireland when Grattan began to deal with it in 1787, and such it remained for forty years. On Grattan's programme for Irish reform, the redress of this grievance held a place second only to the removal of Catholic exclusion from the franchise and from the legislature. The one grievance, like the other, was in fair course of abatement when the rebellion and the Union cut short all Irish hopes for many a year.[1]

When the tenant had paid his rent and his tithe, the law had not done with him yet. His county rate and his church rate yet remained.

The county rate was levied by a vote, or presentment, of the grand jury, which consisted, of course, of the principal landowners or occupiers. The reports of every commission or Parliamentary committee that looked into their procedure, overflow with statements of the lax and wasteful expenditure of the funds so raised; and of the

[1] The obvious remedy, imperfectly applied in 1825, and more effectually in 1838, of fixing the value of benefices in amounts of corn, and letting the money value rise or fall in each year with the average corn value of the previous seven years, was clearly expounded by Grattan to the Dublin Parliament.

way in which these landowners made things easy for themselves and for one another, sometimes by voting improvements of their private estates, oftener by arranging that tenants in arrears should pay their rent with money supplied from the county rate, for work which in some cases was not even performed.[1]

The peasant was rarely in a position to appeal to the higher courts. Such justice as he got was to be sought from the county magistrates, and had in many cases to be bought with a price. Till the establishment of petty sessions, which took place gradually about 1820, those who wished for justice went for it to the magistrate's parlour. Mr. Rochfort, a landlord and magistrate of Carlow, told the Parliamentary committee of a landlord who "left blank summonses with his servant to issue to whoever paid him for them."[2] "The magistrate got his dues and fees," said Mr. Costello, "and it was supposed he had his partialities and friendships. I have known," he continued, "one magistrate who had a barren tract of land adjoining his property; it is now a very fine cultivated plain, owing to the labour of these people with their horses and their ploughs, to obtain his protection in the country."[3] Shanavats and Caravats, Coffees, and Reickavollos, and the other factions whose quarrels bedinned each country-side, had each their own protecting magistrate, to whom they paid blackmail in the shape of labour. "A word in the court was better than a pound in the purse." Such was the common phrase; for the feeling was universal that might was in Ireland stronger than law or right. "The conviction of the Irish peasant," said O'Connell, "is that unless he has what they call interest, he has no chance of success before any tribunal."[4]

[1] The illustration of this practice given in the first edition of this work rests on an untrustworthy statement in Plowden's history of Ireland from the Union to October 1810; and the writer regrets that it should have been inserted. As to the practice itself, there is no doubt whatever. See Judge Fletcher's charge to the Wexford grand jury in 1814.

[2] "Evidence taken by Select Committee of House of Commons on State of Ireland," 1824–5, p. 446.

[3] "Evidence of Committee of Commons," pp. 417–419.

[4] "Evidence taken by Select Committee of House of Lords on State of Ireland," p. 130.

To this description of the social condition of the Irish peasantry may be added a few words on the political status of the three religious communities among which the Irish population was unequally divided—the Catholics, the Protestants of the Establishment, and the Presbyterians of the north.

The status of the Catholics, who numbered, perhaps, four-fifths of the total population, was left very incomplete by the enfranchising Act of 1793. A Catholic could not be a member of Parliament, nor a judge, nor attorney-general or solicitor-general, nor a king's counsel, nor a privy councillor. He could not be a mayor, alderman, or common councilman of any corporation; nor could he hold a fellowship in Trinity College. To other public offices he was admissible, but from most he was in practice excluded. There were, in 1826, eighteen public magistrates in Dublin; not one was a Catholic. There were seven hundred and sixty-four offices, great and small, connected with the medical and charitable institutions of the city; Catholics held thirty-three of these. Of four hundred and thirty-six appointments in the Excise and Customs, they held eighteen. Of more than two thousand offices connected with the administration of justice, not more than thirty-nine had been entrusted to them. The power of voting at elections was an important gain. But so far as the peasantry were concerned, this right remained practically in abeyance for thirty years.

The Protestant population was divided into two widely distinct groups—the Establishment, and the Presbyterians. There were also certain groups of Dissenters, of which it is not needful now to speak. Nor is it necessary to say much of the Established Church. It held rich prizes in its grip; it was inseparably connected with the land tenure of the country. It was an "ecclesiastical aristocracy" which could be relied on in the defence of the existing political order.

Far different was the anxiety inspired at the time of the Union by the Presbyterians of the north. From their ranks the first seeds of the rebellion had sprung. It was

not till a later date that the ranks of the United Irishmen had been swelled by persecuted Catholics, and that what began by an effort to imitate revolutionary France ended in scenes of sanguinary bigotry recalling the Thirty Years' War. But the executive Government knew well that hatred of Catholics was not identical with love for British government; and the "Memoirs of Castlereagh" furnish ample proof that he and those around him were largely preoccupied, during the first years of the Union, with the necessity of conciliating and controlling a section of the population which he knew to be hostile or capable of hostility. "The Orange societies were against us," wrote Castlereagh to Pitt, on January 1, 1801. In a subsequent letter to Addington in the following year, he develops a scheme for rewarding loyalty in the Presbyterian body, and discouraging "the democratic party in the synod, most of whom, if not engaged in the Rebellion, were deeply infected with its principles." "In our Church, which is naturally attached to the State, I should dread schism as naturally weakening its interests. But in such a body as the Presbyterians of Ireland, who have partaken so deeply first of the popular and since of the democratic politics of this country as to be an object much more of jealousy than of support to Government, I am of opinion that it is only through a considerable internal fermentation of the body, coupled with some change of system, that it will put on a different temper and acquire better habits."[1]

Castlereagh's plan, stated in a few words, was a very large increase of the Regium Donum, instituted in the seventeenth century,[4] and in an entire change of the mode

[1] Castlereagh's "Memoirs," vol. iv. p. 224. On the transition of the Presbyterians from revolution to counter-revolution, see Wakefield, ii. 370. The Orange Society had at first consisted almost exclusively of Episcopalians.

[2] In Castlereagh's "Memoirs," vol. iii. p. 161, the institution of the Regium Donum is clearly explained. The pastors of the Scotch colony of 1610 had been put in possession of the tithes of their parishes. These they enjoyed till the death of Charles I., when, owing to their refusal to accept the new government, the Commonwealth stopped their income. Henry Cromwell, however, allowed the body £100 per annum. This was increased by Charles II. to £600; but towards the end of his reign, and during that of James II., the grant was discontinued. William III. renewed the grant, increasing it to £1200. In 1785 and 1792 considerable additions were made.

of its distribution. It had previously been given to a commission of the Presbyterian body, who apportioned an equal sum, amounting usually to £16, to each minister. For the future there were to be three scales of payment, rising from £50 to £100. But this sum was to come to each recipient, not from the synod, but from the State. "On the appointment of a minister, certificates of his character must be laid by the Presbytery before the Lord-Lieutenant. After the congregation has chosen a minister, he should not be entitled as of right to derive a provision from the State without a guarantee that he is a loyal subject."

To sift out the compliant from the restive, to reward the former and intimidate or exclude the latter—such was Castlereagh's policy. Judged as a piece of statecraft, on the assumption that it is well for the temporal power to crush or emasculate all spiritual forces, it was undoubtedly successful.[1] The Presbyterian Church, paid by the State, became its creature. The change showed itself soon in the new temper of the Protestant population of Ulster. Of their two political instincts—love of independence, hatred of Popery—one alone was left. They were allowed to indulge it without stint for many years to come.

It must not be supposed that the Liberal party among the Protestants, which under Grattan's guidance had done so much to conciliate and unite all classes of their countrymen, had ceased to exist. In the struggle for Catholic emancipation they played a most important part. The difference between Orangeman and Protestant was perfectly well known and recognised. "We make a distinction," said O'Connell before the Parliamentary committee of 1825, "between Protestants and Liberal Protestants, but we make a marked distinction between Orangemen and both these

[1] Alexander Knox, writing to Castlereagh on July 15, 1803, when the new votes had passed Parliament, says with exultation, "Never before was Ulster under the dominion of the British Crown. It had a distinct moral existence before, and now the Presbyterian ministry will be a subordinate ecclesiastical aristocracy, whose feeling must be that of zealous loyalty, and whose influence on these people will be as purely sedative when it should be, and exciting when it should be, as it was the distinct reverse before" (Castlereagh's "Memoirs," vol. iv. p. 287).

classes. A Liberal Protestant is an object of great affection and regard from the entire Catholic population. A Protestant who is not an Orangeman is spoken of merely as a stranger would be, without feelings of hostility; the Protestant who is an Orangeman is considered as an enemy; sworn or affiliated Orangemen are spoken of by the peasantry as exterminators."[1] The tendency of the Irish Executive for the first twenty years of Union was towards encouragement, rather than repression, of this aggressive freemasonry. Government patronage was extended to them. They were freely admitted to the magistracy. The Arms Act of 1807, a very powerful instrument of repression, was not enforced against them. Judge Fletcher, in his charge to the Wexford jury of 1814, speaks of their intolerable arrogance. "There will be no tranquillity," he said, "in this country while these associations are permitted to act in the lawless manner they do at present, particularly in the north of Ireland. There those disturbers of the public peace, who assume the name of Orange yeomen, frequent the fairs and markets with arms in their hands, under the pretence of self-defence or of protecting the public peace, but with the lurking view of inviting the attacks of the Ribbonmen, confident that, armed as they are, they must overcome defenceless opponents and put them down. Murders have been repeatedly perpetrated upon such occasions; and though legal prosecutions have ensued, yet, under the influence of those factious associations, petty juries have declined on some occasions to do their duty. These facts have fallen under my own view." To enforce the law against assaults committed by Orangemen was one of the most prominent objects of the Catholic Association.[2]

[1] "House of Commons Committee," 1825, p. 70.

[2] "Mr. Baron Fletcher's Charge to the Wexford Grand Jury in 1814." See appendix to *Annual Register* for 1817.

II

FROM THE UNION TO THE DEATH OF GRATTAN

SUCH was the state of Ireland in the first two decades of this century. Unless it be kept steadily in view, the continual recurrence of insurrection and coercion would be as unintelligible to posterity as it was to contemporaries. The obstinate refusal of government after government to investigate the facts can only be compared with the judicial blindness which, half a century before, had treated with similar disdain the grievances of New England and Virginia. The fear of supplying new material for disturbance, the exhausting strain of the struggle with Napoleon, may account for the course pursued, but do not justify it.

In the first weeks of the united Parliament the minister who had effected the Union resigned office. He had induced the leading Catholics to acquiesce in Union by allowing them to hope that their admission to Parliament would be one of its earliest results.[1] But, whether ignorantly or not, he had promised more than he could perform. George III., in one of his dangerous intervals of sanity, had interposed. His coronation oath, the king said, bound him to maintain the Protestantism of Parliament. On February 13, 1801, Pitt told the House that he and some of his colleagues had felt it an incumbent duty to propose a measure which, under the circumstances of the Union so happily effected between the two countries, they thought of great importance, and necessary to complete the benefits likely to result from that measure. When they met with circumstances which rendered it impossible for them to

[1] See Castlereagh's letter to Pitt, January 1, 1801. Cornwallis, on February 2, assumes emancipation as a settled thing" (see "Castlereagh's Memoirs," vol. iv. p. 25).

propose it as a measure of government, they felt it inconsistent with their duty and their honour any longer to remain as part of that Government. A paper was circulated under his name in Ireland, assuring the Catholic body that "Mr. Pitt will do his utmost to establish their cause in the public favour (though he could not concur in a hopeless attempt to force it now), and to prepare the way for the final attainment of their objects."

Pitt stayed no longer in office than was necessary to produce his financial statement for the year. It may be supposed that he framed the budget for Ireland also, which was brought forward by Mr. Corry on April 1.

It was not a promising statement. The Irish national debt, which, when the French war began, was only two and a quarter millions, had risen in 1798 to ten millions; the cost of the Rebellion, added to that of the war, had more than trebled it in three years, and it was now estimated at thirty-six millions, the interest amounting nearly to a million and three-quarters. The iniquitous compensation for boroughs, and the charges for inland navigation brought up the amount to nearly two millions and a half. This was the separate charge for Ireland. By the Act of Union she was to pay two-seventeenths of the joint charges of the two countries for military, naval, and civil expenditure. Four millions and three-quarters were then added. The total sum to be provided for the year was therefore seven and a quarter millions.

To meet this there was an estimated revenue from Excise and Customs of little more than two millions and a half. But advantage was taken of the fact that the Irish financial year had hitherto ended, not on January 1, but on March 25. By adding, therefore, three-quarters of the income for the previous year to that of the year now current, including the unexpended balance of two loans, the amount was swelled to five millions; a lottery and an additional loan of two millions and a half restored the balance. To meet the new loan, increased import duties were imposed on sugar, tea, coals, spirits, letter-carriage, and insurance policies.

It has been already stated that on March 13 Castlereagh moved the renewal of the Insurrection Act passed by the Irish Parliament in 1796. This Bill gave power to the Lord-Lieutenant to proclaim any disturbed county, after which all persons outside their houses after a fixed hour might be arrested. Houses might be visited at night and searched for arms; all members of the household found absent came within the law. They might be seized and sent on board the fleet for compulsory service or transportation. Castlereagh observed that, after the union of Scotland with England, exceptional legislation to control Highland tribes had been needed for many years. It would be equally necessary for Ireland, for attempts at rebellion would probably be continued so long as the French war lasted. He brought in a Bill at the same time for the suspension of Habeas Corpus.

Sheridan protested, and, alone among the Irish representatives, Sir Laurence Parsons supported him. Grattan was not in the House. Four years were to pass before he could endure to pass the threshold of an alien Parliament. In the Upper House, five peers recorded their protest. They referred to the declaration of Lord Cornwallis of January and July in the previous year, that all tendency to insurrection had been effectually suppressed; that the country had nearly returned to its former state of tranquillity; and that disturbance was limited to a few districts. They remarked further that, whereas it had been uniformly maintained as the merit and advantage of the Union that it would reconcile all parties, and put an end to all division in Ireland, the present measure seemed to amount to an acknowledgment that all such hopes were fallacies. The prospect, they added, of removing discontent in that country was as little likely to be realised as before the Union, seeing that the first act of the united Parliament was to continue a military government, with all its undesirable severity and its possible abuses.

Both Acts, however, passed without a division in either House, for a period of three months.

Later in the session, two reports of a secret committee

of the House of Commons as to treasonable practices in England and Ireland were read and debated. They were alarmist documents, describing London and other large towns as honeycombed with secret societies in communication with all the disaffected elements of Ireland. They urged "that no time should be lost in renewing measures of precaution, particularly the Act for the suspension of Habeas Corpus and for the prevention of seditious meetings." The two Acts previously passed for three months were forthwith renewed for another year. An Act of Indemnity was passed for everything done for the purpose of suppressing rebellion in Ireland since 1793.

Lord Hardwicke succeeded Lord Cornwallis as viceroy in May; and for two years, so far as the British public knew, Ireland was undisturbed. The harvest of 1801 was abundant. The island was occupied by a military force of 125,000 men. Distant rumours of disturbances in Limerick, Tipperary, and Waterford were faintly audible. Imports and exports increased. The debt increased likewise, but, as it was met by loans and uncontrolled by any public assembly, no one protested, and few were aware of the fact. Landlords and middlemen throve on high rents, and peasants as yet could live. In November 1802, when Parliament reassembled, no voice ran counter to the king's, who expressed his deep satisfaction "at the great and increasing benefits to Ireland produced by the important measure which has united the interests and consolidated the resources of Great Britain and Ireland."

Early in 1803 the murmurs in the south-west became louder. Visions of a fixed price for potatoes began to shape themselves, and the invasion of "strangers" ready to take land from which tenants had been ejected was resisted. The magistrates urged the viceroy to obtain and exercise the powers of the Insurrection Act; but the evil was not thought of sufficient magnitude, and their request was refused.

Amidst the general calm, the insurrection of Robert Emmett in July broke like a bolt from the blue. A young republican visionary, whose brother had taken an active

part in the rebellion, he had inspired a few score comrades with the quixotic hope of rekindling Irish nationality by setting up a factory of pikes in a back street of Dublin. On the eve of St. James's Day, Quigley, one of his associates, who had been sowing vague hopes among the villages of Kildare, brought a mixed crowd into Dublin. When the evening fell, a sky-rocket was fired. Emmett and his little band sallied from Marshalsea Lane into St. James's Street, and distributed pikes to all who would take them. The disorderly mob thus armed proceeded to the debtors' prison, which they attacked, killing the officer who defended it. Emmett urged them on to the Castle. They followed, in a confused column, utterly beyond his power to control. On their way they fell in with the carriage of the Chief Justice, Lord Kilwarden, dragged him out, and killed him. By this time a few handfuls of troops had been collected. In half an hour two subalterns, with fifty soldiers each, had dispersed the whole gathering. By ten o'clock all was over, with the loss of twenty soldiers and fifty insurgents. Emmett and Russell, another of the leaders who had undertaken the agitation of Down and Antrim, were shortly afterwards taken and executed; Quigley escaped.

Such was the last reverberation of the rebellion of 1798, or rather of the revolutionary fervour that led the way to that rebellion, before it had been tainted with religious animosity. Emmett died as Shelley would have died, a martyr and an enthusiast. He had no successors.

But Government and Parliament were in all the consternation of ignorance in danger. A message came from the throne. Within four days of the outbreak, Bills for the suspension of the Habeas Corpus, and for the trial of rebels by court-martial, had passed all their stages in both Houses.[1] This being done, all further inquiry into this, as into all other disturbances, was systematically avoided. On August 11, Colonel Hutchinson moved an address to the king for information as to Emmett's rebellion, and as to the present state of Ireland. He saw, he said, more

[1] July 8, 1803.

supineness and negligence respecting Irish affairs than he had ever witnessed respecting the smallest English interest. It would be vain to look for harmony in a country where the minority is to lord it over the majority, and where the meanest and basest of those professing the religion of the minority is to have more political power than the richest and most exalted of those whose religious belief is different. He wished that a deputation would go from that House to examine the miserable position of the Irish peasantry, and to report on what it saw. But Hutchinson's motion was put and negatived without a division.

When Parliament reassembled in November, the re-enactment of the two Coercion Bills was moved by the Irish secretary, and Hutchinson again renewed his efforts. He deplored that ministers manifested no inclination to take such steps as can alone prevent the recurrence of the calamity against which those Bills are intended to guard, namely, to sift the state of Ireland to the bottom; to deliberate upon it week after week, and session after session. Ministers had been three years in power, during peace and during war, during rebellion and after rebellion had been put down, yet the time for considering the means of improving the condition of Ireland had not yet arrived. Another speaker, Mr. Elliott, struck the right note. The local Parliament, he said, had one indisputable advantage. Being, from the circumstance of its locality, more intimately mixed with the transactions of the country, it had a shorter and more easy access to information as to its internal state than a remote legislature could possess.[1] But these flashes of truth were faint and far between. The Bills were read a second and a third time without a division, and by December 12 had passed through the House of Lords.

Pressure for inquiry into the causes of Emmett's insurrection was renewed in March 1804. Lord Temple said "that he had hoped, after the Union, for completion of the great national Act; for a more wise and liberal policy; for the adoption of a system of conciliation to heal up old

[1] "Parliamentary Debates," December 2 and 5.

wounds, and to place the commerce of the empire on a footing of lasting friendship. Peace had arrived, but with none of its blessings. Everything was on the same footing. Instead of measures of beneficent improvement, ministers were studying polemical theology."[1] The motion was rejected by 178 votes to 82.

In May 1804 Pitt resumed office. But Lord Grenville, and others who had followed him into retirement, did not return with him; and it soon became clear that the Catholics whom he had cajoled into partial acquiescence in the Union, and into patience afterwards, would find him in future a firm opponent of their claims. In the last month of the year, Pope Pius VII. came to Paris to consecrate Napoleon's assumption of the imperial crown. Eager advantage was taken of this event by the party of Protestant ascendency. Had not the pope told his cardinals that an interview with the emperor would be for the good of the Catholic Church, which is the sole ark of salvation? Did not the general councils of the Church inculcate as a religious duty the deposition and murder of heretical sovereigns? Was not Dr. Troy the accredited agent of the pope, exercising his power in the face of the laws of the United Kingdom? Never, never could unhappy Ireland know peace while he and his comrades preached to the body of Catholics the doctrine of the pope's unlimited supremacy and of implicit obedience to the see of Rome.[2]

Not till the spring of 1805 did the Irish Catholics muster courage to present their first petition to Parliament. At a meeting on February 16, a deputation was appointed to confer with Pitt, and to request him to present it. The

[1] "Parliamentary Debates," March 7. Lord Temple's reference was to a correspondence recently published between Lord Redesdale, the Irish chancellor, and Lord Fingall, the ostensible leader of the feeble and divided party of Catholics who were beginning to reassert their claims to civil justice. In placing Lord Fingall on the commission of the peace, the chancellor had thought it necessary to read him a long lesson on the errors and dangers of the Catholic religion. This correspondence will be found in the *Annual Register* for 1804,

[2] See letter to Dr. Troy, titular Archbishop of Dublin, on the coronation of Bonaparte by Pope Pius VII., cited in Plowden, "History since the Union," vol. ii. p. 27.

conference took place on March 12. But Pitt absolutely declined. He had considered the claims of the petitioners reasonable, and he still so considered them. But time must always enter into measures of expediency, and there existed at that time strong and decisive objections against proposing them to the consideration of the legislature. It was an open secret that these objections consisted in the obstinate resistance of the king. Two years afterwards it was officially stated in the House of Lords[1] that Pitt, on his return to office, had voluntarily engaged that he would never again bring the subject before the king. The petitioners pressed Pitt to assert the principle of the measure that they prayed for. If he did this, they could not press for its immediate adoption. Should he decline this, they would have no alternative but to apply elsewhere. But Pitt replied that he would prefer they applied elsewhere, frankly telling them that if they did he should oppose their petition.[2]

Already, before this interview, the inevitable process of suppressing Irish freedom had been again performed. Three furious speeches on Irish atrocities had been delivered by Irish members. Dr. Bagwell had told how in Tipperary men who had paid advanced rents had been shot; Lord De Blaquiere enlarged on the assassination of an informer in Piccadilly; Dr. Duigenan detailed the nightly raids of moonlighters for arms in Carlow and Limerick. The suspension of Habeas Corpus was again proposed. Lord Temple and Mr. Hutchinson in vain protested. Why are ministers, why is the Lord-Lieutenant, they asked, silent as to these disturbances? The suspension passed by a majority of forty-one in a House of fifty-four.

Repulsed by Pitt, the Catholic petitioners betook themselves to Grenville and Fox, who presented their petitions to both Houses on March 25. The discussion was deferred till May 13. Then Fox rose, and he concluded by moving the reference of the petition to the consideration of a committee of the whole House. Dr. Duigenan followed with vehement anti-Catholic invective, citations from medieval councils, and prophecies of the downfall of the constitution,

[1] March 26, 1807. [2] Plowden, vol. ii. pp. 35–44.

should Catholics be suffered to enter its pale. But Ireland's champion had at last resumed his post. Lord Fitzwilliam had persuaded Grattan to accept his nomination for the borough of Malton. When Duigenan had exhausted his fury, Grattan rose in a full House tense with excitement. "I rise," he said, "to avoid the example of the member who has just sat down. Instead of calumniating either party, I defend both. The past troubles of Ireland, the rebellion of 1641, the wars which followed, I do not wholly forget, but I remember them only to deprecate the example and to renounce the animosity. You have been told by the last speaker that an Irish Catholic never is, never was, never can be, a faithful subject to a British Protestant king, for they hate all Protestants and all Englishmen. Thus has he pronounced against his country three curses: eternal war with one another, eternal war with England, and eternal peace with France. His speech consists of four parts: invective against the religion of the Catholics, invective against the present generation, invective against the past, invective against the future. Here the limits of creation interposed and stopped him. It is to defend those different generations and their religion that I rise; to rescue the Catholic from his attack, and the Protestant from his defence."

With the crazy fanaticism of Duigenan it was easy to deal. Constitutional freedom had been founded by English Catholics; Catholicism was the religion of two-thirds of Christendom. If Irish Catholics alone were disloyal, that would argue the cause to lie in unjust laws made for Ireland. When the repeal of penal laws began, from 1778 to 1793, Irish Catholics were as loyal as any citizens of the empire. But in 1793 that repeal was stopped half-way, and the demon of religious discord was let loose. "Take warning," Grattan said, "by that fatal error of the Irish Parliament. Of that assembly I have a parental recollection. I sat by her cradle; I followed her hearse. In fourteen years she acquired for Ireland what you did not acquire for England in a century—freedom of trade, independency of the judges, restoration of the final judi-

cature, repeal of a perpetual meeting Bill, Habeas Corpus Act, Nullum Tempus Act — a great work! I call my countrymen to witness if in that business I compromised the claims of my country or temporised with the power of England; but there was one thing which baffled the effort of the patriot and defeated the wisdom of the senate —it was the folly of the theologian. When the Parliament of Ireland rejected the Catholic petition, on that day she voted the Union. If you adopt a similar conduct, on that day you will vote the separation. Many good and pious reasons you may give; many good and pious reasons she gave, and she lies *there* with her many good and pious reasons." He ended by urging the House to unite all forces by the bond of justice and religious peace in presence of the overwhelming dangers of the situation. "Half Europe is in battalion against us, and we are damning one another on account of mysteries, when we should form against the enemy and march."

But after a two days' debate, Fox's motion was defeated by a majority of nearly three to one—336 votes against 124. Pitt, as he said he would, voted against it, and against his former pledges.

Early in 1806 Pitt died, and his great rival, for the few months of life that remained to him, held the Foreign Office in Lord Grenville's Cabinet. Fox frankly told his Irish friends that he could do little for them. Government would do what they could to give them commissions in the army, to admit them to corporations, to revive the Irish magistracy, to make better arrangements about tithes, and generally to give them such a share in the government of their country as might be possible. But of the admission of Catholics to Parliament there was no hope, and he advised them not even to petition for it.[1] The Duke of Bedford succeeded Lord Hardwicke as Lord-Lieutenant; and the disappearance of Lord Redesdale from the Irish chancellorship gave hopes of juster magistrates. The Coercion Acts expired in March, and they were not re-

[1] Plowden, vol. ii. p. 306.

newed. Men imprisoned on suspicion for nearly three years saw the light of day.

The year did not pass without disturbance. In Mayo, Sligo, Leitrim, and Roscommon the Threshers' war, an underground agitation against tithe, went on with vigour. The Government were urged to proclaim those counties; but they remained firm to their policy of conciliation, anxious to give no excuse for renewed agitation of the Catholic claims.

Fox died, after a lingering illness, in September; and with Fox died Irishmen's hopes of Government initiative in their favour. Parliament met in December; on the subject of Ireland the king's speech was silent. The party of action among the Catholics resolved to stir. They found strong opponents in unworthy place-hunters, who hoped to suck advantage from a Whig Cabinet, and urged that the Government should not be embarrassed. But Keogh and Lord Fingall, the ostensible leaders of the body, after some vacillation remained firm. A stronger than they, a stronger than any that had yet arisen in the name of Ireland, was urging them on. On the list of the committee appointed on February 9, 1807, to draw up the Catholic petition, appears the name of Daniel O'Connell.

O'Connell was twenty-five years old in the year of the Union. Born of an old Kerry stock, an ardent Catholic, an Irishman of Irish, he had yet been no rebel. He had taken his part, as a member of the lawyers' corps, in the defence of order in Dublin. But when the downfall of independence was menaced, and when Pitt was dangling his promises to Catholics of admission to Westminster as the reward of their acquiescence, a meeting of Catholics was held in Dublin at which O'Connell spoke. "The Catholics," he said, "will show every friend of Ireland that they are incapable of selling their country. If emancipation be offered for our consent to the measure, we will reject it with indignation. . . . Let every man who feels with me proclaim that, if the alternative were offered him of union or the re-enactment of the penal code with all its horrors, he would prefer without hesitation the latter as the lesser

and more sufferable evil; that he would rather confide in the justice of his brethren the Protestants of Ireland, who have already liberated him, then lay his country at the feet of foreigners." [1]

For twenty years, so profound on this side of the Channel was the unconsciousness of what took place on the other, O'Connell was almost unknown to Englishmen or Scotchmen. Yet those were his best years of work. From the first days of Union he had never despaired when all others had lost hope. He went unfailingly to such gatherings of Catholics as were held in those days, listening silently to the timid and the time-serving, watching without impatience the jealousies of clique and the greed of place-hunters; anxious only, for his part, that the leaders should work together, and the flickering flame of resistance be kept alive. "Forward!" and "Together!" were his watch-words.

In the year we have reached, his influence was firmly rooted, though none foresaw how mighty it would one day become. It was strong enough to resist the sinister influences that were ever holding back the more aristocratic or servile of the Catholic community from continuing the weary strife.

The strength of O'Connell lay in this, that his faith in the national life of Ireland never failed. The admission of Catholics to the legislature was urged, and rightly, as a matter of civil justice which, whether to English or to Irish Catholics, it was suicidal folly to deny, in the face of Europe lying captive at the feet of imperial France. To dispel the force of Protestant fanaticism; to prove that Catholics could be good citizens, could resist papal encroachments in the nineteenth century as well as in the thirteenth, and could defend their coasts against Napoleon as well as against Philip II.;—this was needful work, and to many men it was all that was needed. To Grattan it seemed at least all that was possible; and to this work he gave the remaining

[1] See "O'Connell's Life and Speeches," by John O'Connell, vol. i. p. 21. This meeting was held in the Exchange Hall, January 13, 1800. O'Connell drew up the resolutions protesting against union.

energies of his noble life. But to O'Connell Catholic emancipation was but the first step in the restoration of Ireland to her place amongst the nations.

How his work unfolded in the coming years will be seen afterwards. The petition of 1807 was no doubt partly, though not exclusively, of his drafting.[1] The language was dignified and calm. It was not servile supplication for a boon, but respectful claim for a right. Their ancestors, they said, whether invaders or invaded, had enjoyed for six centuries the rights that Englishmen had earned. The penal laws were a recent innovation. In remaining Catholics, they adhered to the immemorial tradition of their fathers. But they appealed to Parliament as Irishmen more than as Catholics. Their kingdom could not be at peace while divided by two religions into a superior and an inferior caste. They were loyal to the Crown, and void of all hostility to Protestants. As the brethren of Englishmen, and co-heirs of the constitution, they prayed for the full enjoyment of those privileges which were their lost inheritance.

But grave changes had occurred in England before this petition could be presented.

On March 3, 1807, Lord Howick brought in a Bill for opening commissions in the army and navy to Catholics. The Bill was an extension to the whole empire of a privilege already granted to Catholics in Ireland by the Irish Parliament in 1793. The Bill proposed further that private soldiers being Catholics should not be compelled to attend a Protestant service. The Bill was read a first time, Perceval, however, announcing his opposition. He was in favour of toleration, he said, but he could not tolerate an intolerant religion.

But three weeks afterwards, Lord Howick in the Commons and Lord Grenville in the Upper House announced that the king had accepted their resignations, and that a new Government was being formed. In the discussions that followed it transpired that George III., who had consented to the introduction of their Bill, had brought

[1] The petition is given in full by Plowden, vol. ii. pp. 437–440.

forward conscientious objections to its further progress unless a pledge should be given to him that ministers would in the future propose no further concessions to Catholics. This they, of course, declined. Perceval was the chief of the new Government, with Castlereagh, Canning, and Eldon for colleagues. The Duke of Richmond was the new Lord-Lieutenant, and Wellington, then Sir Arthur Wellesley, the Irish secretary. Under these circumstances, the Catholic committee in Dublin acceded to Grattan's advice to defer their petition till events should further shape themselves. Parliament was dissolved, elections were held, and the new Parliament assembled on June 26.

One of its first acts was coercive legislation for Ireland of extreme severity. On July 9, Sir Arthur Wellesley brought in a Bill which was in fact a renewal, with slight modifications, of the Insurrection Act of 1796, and another Bill authorising magistrates to search houses for unregistered weapons. The Act of 1796, which, in fact, had never been formally repealed, authorised the Lord-Lieutenant, on the report of magistrates, to proclaim any county where disturbances existed; to compel inhabitants in proclaimed counties to keep within their houses from sunset to sunrise. Offenders against the Act might be sent by the magistrates to serve in the fleet, or be transported to a penal settlement. The present Bill was so far a modification that power to transport was taken away from the magistrates and transferred to quarter sessions. The second Bill required the registration of arms, and authorised the search of houses by any one the magistrates chose to appoint at any hour of the day or night.

These Bills were not the product of a Tory Cabinet. It was admitted by Lord Howick that they had been drafted by his own administration. The principle of the Bill was supported by Grattan himself. He voted for it, he said, because he knew there were lately certain secret meetings in Ireland of a treasonable nature, tending to reorganise the country and prepare for the reception of the French. He spoke also of the recent agrarian disturbances in the west of Ireland. It may be doubted whether Grattan was

well informed as to the former of these statements, which no official speaker confirmed. As to the latter there was no doubt. The iniquitous aggressions of tithe-proctors, the extortionate rents exacted by middlemen, and the incipient sense of the rights of the tenant to permanence of tenure, had stirred into life many of the irregular combinations by which wild justice was done when lawful justice was denied. The Threshers in the west were followed by the Shanavests and Caravats of the south—no childish war of factions, as casual onlookers supposed it, but having its cause, when you looked for it, in organised hostility to those who had displaced former tenants by offering a higher rent.[1]

Grattan did something to mitigate the severity of the Bill; he urged that it should last for one year only instead of seven. Its duration was ultimately fixed at two years, and to the end of the next succeeding session of Parliament. The solitary voice lifted up in opposition to coercion was that of Sheridan. When the Bills had been passed, Sheridan moved for an inquiry into the state of Ireland, "in the anxious hope that such measures and remedies might be adopted as might render their continuance unnecessary." The motion was debated in a thin House, and was rejected by 76 votes against 33. With this the session closed.

During the autumn the Dublin Catholics met frequently. Inspired and preserved from discord by O'Connell's eloquence,[2] they resolved to renew their petition, which was again entrusted to Lord Fingall. Parliament met on January 21, 1808. The debate on the king's speech, which was absolutely silent upon Ireland, is noteworthy from Sheridan's indignant comment on that silence. He, for his part, he said, would renew his motion for inquiry, and his protest against the despotic legislation of the previous session. Ireland, in the present state of Europe, was the first, Ireland the second, Ireland the only consideration, for its loss would entail irrevocable perdition on the empire.

[1] See Plowden, vol. iii. p. 608.

[2] Ibid. p. 615. The skilful self-restraint and careful avoidance of undue prominence shown by O'Connell at this period is remarkable.

Exaggerated words, perhaps; and mad they must have seemed to those who heard them; but the madness was Cassandra's.

Meantime Lord Fingall came to London with the Catholic petition. In Ireland, had Ireland only retained the power to decide it, the question was already ripe for solution. The persistent energy of O'Connell, the diffusion of discontent, secret or avowed as coercion was enforced or relaxed, and the intrinsic justice of the claim, had persuaded large numbers of influential Irish Protestants that it should now be conceded.[1] Grattan's Parliament would assuredly have carried on the legislation of 1793 to its natural issue, and have saved England as well as Ireland twenty years of angry debate. Ponsonby, who, on Lord Howick's elevation to the House of Lords, had now become leader of the opposition, knew Ireland well; and he hinted to Lord Fingall that, if proper guarantees were given for the loyalty of the Catholic hierarchy, a solution of the problem was possible. Referenee was made to negotiations that had passed in 1799 between Pitt and the Catholic bishops in Ireland. Pitt had proposed to endow the clergy, provided they would consent to give Government a veto on episcopal appointments. This proposal had been at that time provisionally accepted by the bishops; and, but for the king's obstinacy, it would probably have been carried into effect.[2] At Lord Fingall's suggestion, Dr. Milner, an English Catholic bishop, was now consulted as to the probability of such a veto being accepted by the Catholic body in England and Ireland as a basis on which their

[1] Grattan's speech on May 25, 1808, refers to this: "The counties of Clare and Galway have had meetings convened by their sheriffs, at which they passed resolutions expressing their ardent wish for the admission of their Catholic brethren to the benefits of the constitution. In the counties of Tipperary, Kilkenny, Roscommon, Waterford, and Meath, and in the town of Newry, resolutions have been passed, not formally by the Protestant gentry and inhabitants, but by the great bulk of landed proprietors" ("Grattan's Speeches," vol. iv. p. 154).

[2] The resolutions of the bishops, accepting this proposal, are given in the appendix to Wyse's "Historical Sketch of the Catholic Association," vol. ii. p. xvi.

claims to civic equality might be conceded. Milner, without any consultation with his Irish co-religionists, replied in the affirmative. He undertook that, when a see was vacant, the bishops, before transmitting to the pope in the usual course the name of the person whom they judged fit for the post, should first submit the appointment to the king and ministers. If objection was made, other names would be offered, until a name was presented to which no objections were offered.[1]

Fortified by these assurances, Grattan presented the Catholic petition to the House on May 25. His speech was a repetition, closely reasoned and fervid as ever, of former arguments. But this time he added the inducement which, he said, the Catholics had authorised him to offer, of a ministerial veto on episcopal appointments. But even so Grattan could not prevail. Napoleon had just seized Rome. Ignoring the steady resistance of Pius VII. to Bonapartist tyranny, Scotch and English bigots were convinced that all Catholics were the slaves of their bishops; that the bishops were the creatures of the pope, who was the creature of Bonaparte, and that they would now become Bonapartist agents preparing the country for invasion. Their convictions were intensified in the following year, when Pius was carried off from the Quirinal to Grenoble.[2] It was in vain that Grattan urged that the danger, if it was one, existed in full force at present, and that justice to Irish Catholics, and not injustice, was the way to meet it. His motion that the House should form into committees to consider the petition was resisted by Perceval, Castlereagh, Wilberforce, and Canning,[3] and was rejected by 281 against 128. A similar motion, brought forward by Lord Grenville in the Upper House, was rejected by 181 against 74.

[1] The details of this negotiation were stated by Ponsonby in Parliament two years afterwards, May 14, 1810.

[2] July 6, 1809.

[3] Neither Canning nor Castlereagh attempted to argue the matter. The first talks of the inflamed majority outside; the second "dreads the effects on the public mind of discussing a question of so delicate and important a nature." Perceval "believes on his soul that nothing could be more likely to disturb Ireland" (see "Parliamentary Debates," vol. xi. p. 575 *et seq.*).

The proposal of Government interference with the appointment of bishops had been made on Dr. Milner's authority without any reference to the Dublin Catholics, who heard of it for the first time from Grattan's speech. By the bishops it was received with hesitation, by the priesthood with grave disapproval, by the laity and O'Connell with consternation. The relation between priests and people in Ireland was, as it still is, something to which no parallel can be found in other countries, Protestant or Catholic, for many centuries. Sprung from the people, the Irish priest had borne a double share of their sufferings and their burdens. On him the full weight of the penal laws had fallen. He had been hunted into caves and over mountain-sides for doing his priestly office. Now that better times had come, he was still the only friend on whom the peasantry could rely. Was the bishop, to whom he owed absolute obedience, to be the nominee of an alien Government?

The submission of episcopal appointments to the State for approval is the usual course in Catholic countries, and in some Protestant countries with a large Catholic population. In France, the concordat of Francis I. had secured State nomination of bishops. In Ireland, but for the suppression of the Irish Parliament, the matter might probably have been arranged without serious difficulty, notwithstanding the energetic protest of Burke in 1782, when a similar measure was talked of.[1] But the case was widely different when one country claimed the power to nominate or to exclude the bishops of another. The independence of the priesthood from State pay, and of the hierarchy from State control, were symbols, and more than symbols, of national life, from which O'Connell's politic genius was prompt to suck no small advantage.

[1] See Burke's letter to a peer of Ireland on the penal laws. "To deprive a poor people who maintain a second set of clergy out of the miserable remains of what is left after taxing and tithing, of the disposition of their own charities among their own communion, would be an intolerable hardship. Never were the members of a religious sect fit to appoint the pastors of another. It is a great deal to suppose that even the present Castle would nominate bishops for the Irish Catholic Church with a religious regard for its welfare" ("Burke's Works," vol. i. p. 541, ed. 1834).

On the bishops, who at first doubted, these considerations were strongly urged; and at a meeting in September 1808, they decided "that it is inexpedient to introduce any alteration in the canonical mode hitherto observed in the nomination of Irish Roman Catholic bishops, which long experience has proved to be unexceptionably wise and salutary." Enthusiastic addresses of thanks, signed by forty thousand persons, were presented to them. The bishops met again in synod in February 1810, and stated their decision in still more explicit terms. Their decision was communicated to the Catholic Committee, of which O'Connell was now secretary, and was endorsed by a unanimous vote of approval.

The decision was grave. It delayed the solution of the Catholic question; it alienated Lord Fingall and many other influential friends among the Irish aristocracy; the English Catholics entirely disapproved of it; and, finally, it separated Grattan from O'Connell. The controversy was carried on for years. Both sides appealed to Rome.[1] No official decision was or could be given by the pope, who was then a prisoner. But in 1814 a letter was published,[2] writen by Monsignor Quarantotti, Vice-Prefect of the Propaganda, to Dr. Poynter, an English Catholic bishop. This letter stated that, in the absence of the pope, still a prisoner in France, the writer, as the acting head of Catholic missions, was competent to decide the question. He and his advisers had weighed the opposing arguments of the Irish and English bishops, and he gave his distinct and explicit judgment in favour of the royal veto on episcopal appointments. "It is desirable," he said, "that the heads of our body should be such as are personally acceptable to the king." He imperatively ordered Catholics,

[1] O'Connell wrote a personal appeal which, as coming from a layman, was not received by the Curia (see "Life and Speeches," vol. ii. pp. 234–7). The bishops wrote afterwards.

[2] This letter, in the original Latin, is given in Wyse's "History of the Catholic Association," vol. ii. Appendix, p. xxii. Its publication caused much consternation amongst Irish Catholics. "Is it true," a priest was asked one morning by his housekeeper, "that the pope has turned Orangeman?" (see O'Connell's "Life and Speeches," vol. ii. p. 148).

whether in England or Ireland, to accept thankfully what was offered them.

Rome in 1814 was not the Rome of Hildebrand or Innocent; and the Irish Catholics understood the meaning and the value of an independent spiritual power better than their English brethren or their Roman superiors. The letter of Quarantotti no sooner reached Ireland than it was denounced by O'Connell at the Catholic Board. It was not, he said, for the slaves of Rome to instruct the Irish Catholics as to the mode of their emancipation. A resolution was passed, that decrees, mandates, or doctrines of any foreign power or authority, religious or civil, ought not and cannot of right assume any dominion or control over the political concerns of the Catholics of Ireland. Meetings of the provincial clergy expressed the same view, finally endorsed by the bishops in a synod held that year in Maynooth.

Great pressure was still brought to bear upon O'Connell by the Catholic landlords and by Protestant sympathisers, who, like Grattan, knew less or cared less than O'Connell about the great Irish questions that lay behind the one immediately at issue. But he never yielded. When pressed with the danger of disunion or with the authority of Rome, he replied that he disclaimed unanimity for ever, if it were not to be had without this concession. As to Rome, he said, "I am sincerely a Catholic, but not a Papist. I totally deny that Gonsalvi or Quarantotti, or even the pope himself, can claim submission to their mandates on this matter. My confidence is great in the venerated prelates of Ireland, who fill their sees in a succession unbroken for an hour since the days of St. Patrick. Should they fail, which I cannot believe, there is still the unalterable constancy of the people of Ireland. If the present clergy shall descend from their high stations to become the vile slaves of the clerks of the Castle, let them look to their masters for their support. The people would communicate with some holy priest who had never bowed to the Dagon of power; and the Castle clergy would preach to still thinner numbers than attend in Munster

or Connaught the reverend gentlemen of the present established Church."[1]

If Cavour's idea, the free Church in the free State, were unattainable by Ireland, O'Connell resolved that at least his Church should remain free as the first condition of the redemption of the State. Of this last he had never lost sight or hope. Every sign of national revival had been eagerly noted by him, and made the most of. And in Dublin such signs had not been wanting. The increasing pressure of taxation, and the loss of trade consequent on the removal of the seat of government, had begun to produce their natural results. In 1808, the Guild of Skinners and Glovers passed resolutions for the repeal of the Union. In 1810, the corporation of Dublin (Catholics, it must be remembered, were at this time excluded from all corporations) discussed the same subject, and appointed a committee to draw up a petition to Parliament. A public meeting was held in the Exchange, at which O'Connell spoke. After ten years of silence and torpor, he said, Irishmen began again to recollect their enslaved country. After noting the starvation and misery of the city, the bankrupt tradesmen, the exodus of gentry, the agrarian disturbances in the south and west, the religious discord throughout the country, he turned to the Act of Union, to the foul means by which it had been brought about, its disastrous results. "We are

[1] Speech at aggregate meeting of Catholics, January 24, 1815 (see "Life and Speeches," vol. ii. p. 178). See also pp. 207–216, another very remarkable speech delivered by him on August 29, 1815, in which the real reason for his persistent opposition to the veto is most forcibly stated. If, he said, he had been a Protestant from conviction, as he was a Catholic from conviction, his resistance to the veto would have been just as obstinate. "Ireland has no Parliament of her own; there is little of interest, less of sympathy, for the complaints of Ireland in the Parliament of England. What grievances has the imperial Parliament redressed? What inconvenience has it remedied? Let those who can, inform us, When have our prayers been listened to? The very remoteness of that Parliament renders the sound of our complaints weak and inefficient. To bewail our misfortunes in the language of truth may be crime; but this very apprehension of telling the truth serves only to prove *how dismal would the prospect of liberty be, if in every Catholic diocese in Ireland there were an active partisan of the Government, and in every Catholic parish an active informer.*"

governed by foreigners: foreigners make our laws; for even were the hundred members genuine representatives of Ireland—which is not the case, for one-fifth of them are Englishmen who do not pretend to know anything of this country—what weight would they have against the five hundred and fifty-eight members from England and Scotland? The Imperial Parliament is too unwieldy to legislate for Britain alone; but as to Ireland, it has the additional disadvantage springing from want of interest and from total ignorance. I do not exaggerate. The ministers themselves are in total ignorance of this country. They talk of her growing prosperity; the fact is she is in abject and increasing poverty. . . . Only a resident and domestic Parliament can deal with those strange and portentous disturbances which from time to time desolate and affright the fairest districts of this island. The Protestant[1] cannot liberate his country; the Roman Catholic cannot do it; neither can the Presbyterian. But amalgamate the three into the Irishman, and the Union is repealed. Learn discretion from your enemies: they have crushed your country by fomenting religious discord; serve her by abandoning it for ever. I say not this to barter with you; I need no equivalent from you; whatever course you take, my mind is fixed. I trample underfoot the Catholic claims if they interfere with repeal. Were Mr. Perceval to offer me the repeal of the Union on the terms of re-enacting the penal code, I declare from my heart, and in the presence of my God, that I would cheerfully embrace his offer."[2] The belief that Irish patriotism since the Union has been limited by religious faith has been carefully fostered in England by Orange associations, and by other interested organs of opinion; but the life of O'Connell, no less than that of Grattan, should be enough to refute it.

The progress of the Catholic question in Parliament during these years may now be briefly stated. In 1809

[1] The word "Protestant" is still in common use to denote the Episcopalian of the Establishment, as distinct from the Presbyterian.

[2] "O'Connell's Life and Speeches," vol. i. pp. 48–55.

it was not brought forward, the only important Irish debate being on a motion of Mr. Henry Parnell[1] to bring in a Bill for the commutation of tithe. The intolerable exactions of the tithe-proctors were enlarged upon by Grattan and other Irish members. They were not denied or palliated even by Perceval. But debate was considered inexpedient, and the previous question was moved and carried by 137 votes against 62.

Early in 1810,[2] Grattan presented the Irish petition for emancipation, and in May he moved that this and other petitions which had since arrived should be referred to a committee.[3] His speech on this occasion was, perhaps, his masterpiece. As a combination of close reasoning and brilliant wit with patriotic passion, few more powerful had ever been heard in Parliament. The debate lasted three days. Grattan's motion was rejected by 213 votes against 109.

The permanent insanity of the king at the close of this year inspired hopes that wiser counsels would prevail. The Dublin Committee resolved upon a more systematic organisation of efforts. They suggested that the business of petitioning should now be carried on by ten managers in each county, working in accordance with the central committee. The Castle at once scented danger, and a circular letter was sent by the Irish Secretary (Wellesley Pole) to all sheriffs and magistrates, instructing them to enforce the provisions of the Convention Act of 1793, which, though it admitted the right to petition, declared all bodies appointed by delegation or having any representative character to be unlawful. All persons taking part in such proceedings were to be arrested. Parliament was urged by Grattan and others to interfere with this arbitrary exercise of power, but again refused to listen.[4]

In May 1811 the petition was again presented, and Grattan moved its reference to a committee of the whole House. The motion was lost by 146 votes against 83.[5]

[1] May 19, 1809.
[2] February 28, 1810.
[3] "Parliamentary Debates," 1810, May 18, 25, June 1
[4] Ibid., February 22, 1811
[5] Ibid., May 31, 1811.

Notwithstanding Wellesley Pole's circular, the Irish Catholics proceeded to execute their project of appointing a representative committee. At a meeting held on July 9, it was resolved that the committee should consist of the Catholic peers and their eldest sons, of Catholic baronets, of the bishops, and of ten members from each county. The committee met in October, and Lord Fingall, who presided, was arrested. Proceedings were taken against two of the delegates, Sheridan and Kirwan, with the resolution that the first was acquitted; the second was found guilty by a jury specially packed for the purpose by the under-secretary.[1]

These proceedings were discussed in Parliament early in 1812, Lord Morpeth moving that the House resolve itself into committee to take into consideration the present state of Ireland. The motion was rejected by 229 against 94.[2] An increase in the Maynooth grant from £8000 to £13,000 was refused. But in his annual motion on the Catholic petition Grattan mustered a larger following in a fuller House than on any previous debate. The minority in favour of it was 215; the majority, 300.[3]

Perceval, who had reflected almost as faithfully as the king, the narrowest fanaticism of the country on the Catholic question, perished by assassination on June 11. Lord Liverpool's long premiership began, and Peel became Irish Secretary. An attempt was made to bring Lord Wellesley and Canning into the Cabinet. But the Irish question intervened. Canning had become firmly convinced of the necessity of dealing with it, and on June 22 he moved that early in the next session the House should take into its most serious consideration the laws affecting Roman Catholics in Great Britain and Ireland. The motion was carried by 235 votes to 126.

Parliament was dissolved in the autumn, and Canning's

[1] It appeared, on official inquiry, that the list of the jury had been given by the under-secretary, Sir C. Laxton, to the Crown Solicitor, and by him to the sheriff (see "Grattan's Speeches," vol. iv. p. 257).

[2] February 4, 1812. [3] April 23.

motion was renewed in the new Parliament by Grattan. It was opposed by Peel, but supported by Castlereagh, Canning, and Palmerston, and carried by a majority of forty. Leave was given to bring in a Bill, which passed the second reading.[2] Grattan's Bill was simple and in many respects satisfactory. It gave all the rights that passed into law sixteen years afterwards: admission to Parliament, to corporations, and to civil and military offices; the offices of Lord-Lieutenant of Ireland and of Lord Chancellor of England, as well as all posts connected with the Irish Church establishment, being excepted. A very elaborate oath of allegiance was to be taken by all Catholics, whether clergymen or laymen.

To exact an oath from an entire population was a cumbrous provision; and the clause in it requiring the Catholic to support the present state of Protestant property, and to refrain from using any power he might obtain for the overthrow of the Protestant Church, was obviously incompatible with the privileges of a free citizen. Still the Bill gave so much that it would have been accepted by the Irish Catholics had not Canning, between the first and second readings, added clauses appointing a board of commissioners who were to have power to inspect the papers connected with episcopal nominations, as well as all correspondence with the Roman see, and to veto the appointment of any bishop whose loyalty they might suspect.[3] Of Canning's anxiety for emancipation there can be no doubt. But while he knew well the weight and wide diffusion of English prejudice on the subject, his brilliant wit and his Irish origin failed utterly to bring him within touch of Irish Catholic feeling, to which such proposals were singularly repulsive. Bishops in England were state

[1] February 25 and March 1, 1813. The corporation of Dublin petitioned against it, claiming to present their petition at the bar of the House. Grattan, while dissenting from the petition, supported the claim, upholding the honour of Dublin, the second city of the empire. The claim was admitted.

[2] May 11.

[3] Grattan expressly disclaimed the responsibility for this clause (see "Grattan's Speeches," vol. iv. p. 331). It would have been better had he dropped the Bill altogether.

functionaries, therefore to Englishmen it seemed quite simple that a Catholic bishop should pass muster before an official board. But in Ireland a bishop was what a bishop was in England in the days of Thomas à Becket.

The first clause of the Bill, however, admitting Catholics to a seat in Parliament, was rejected in committee, the Speaker (Abbott) taking an active and influential part in opposing it. The Bill was, of course, dropped. Grattan's acquiescence in Canning's clauses produced a bitter feeling between himself and the Catholic Board, resulting in his refusal to take charge of their petitions in succeeding years. He continued, till within a year of his death in 1820, to urge the settlement of the Catholic claims. But the hope of an immediate solution was gone. In 1814 the question was not discussed in Parliament at all. In 1815 a committee of inquiry was moved by Sir Henry Parnell, who was now entrusted with the Irish petition, but it was refused by 228 votes against 147. In 1816, 1817, and 1819 Grattan brought the question forward again, serving the Catholic cause "with a desperate fidelity, which sustained him even when there was no hope of success."[1] But he never obtained a majority again; though, on the day when he brought the question forward for the last time, the majority against him, in a crowded House, had all but disappeared.

But, grievous and shameful as the continuous denial of the rights of citizenship from the stronger country to the weaker might be, Ireland had other pains to suffer, less insulting to her spirit, though not less perilous to her bodily frame. When O'Connell told the Dublin Corporation in 1810 that, in spite of all the optimistic inferences from export and import trade, Ireland was in abject and increasing poverty, he spoke the simple truth. She was, in fact, in that year upon the brink of bankruptcy, and before the date of Waterloo her financial ruin had been consummated.

[1] "Grattan's Speeches," vol. iv. p. 386. On May 16, 1816, Grattan was defeated by 172 against 141; on May 9, 1817, by 245 against 221; on May 3, 1819, by 243 against 241.

To understand her situation it is necessary to bear in mind the sixth and seventh articles of the Act of Union. It was provided by these articles that the exchequers of the two countries should remain separate. Each was to defray its own debt incurred previous to the Union; each was to provide in a fixed proportion to the joint expenditure of the United Kingdom that might be thereafter incurred. The proportion fixed was fifteen parts for England, two for Ireland. Provision was made for future changes that circumstances might render necessary. At the expiration of twenty years the proportion to be contributed by each country was to be reconsidered, the basis of adjustment being one of four standards; viz.—

1. The value of exports and imports during the three years preceding the revision.

2. The consumption in either country of beer, spirits, sugar, wine, tea, tobacco, and malt.

3. The combination of these two standards.

4. Income tax, should such a tax be established.

But it was further provided that if, at any future time, the debt of one country should stand to the other in the same proportion as that of their respective contributions, Parliament might defray the joint expenditure (including the charge of joint debts previously incurred) by equal taxes imposed on the same articles on either country. That is to say, if ever the time should come when the Irish debt should bear to the English the proportion of two to seventeen, the exchequers of the two countries might, if Parliament so enacted, be amalgamated.

Now, on January 1, 1801, the unredeemed debt of Great Britain was £420,305,944. The Irish unredeemed debt at the same date was £26,841,219, bearing, therefore, to the British debt the proportion of one to sixteen. The Irish debt, however, bore a higher interest. The total annual charge in either country at the date mentioned was £15,800,106 in Great Britain, £1,484,951 in Ireland.[1]

[1] "Select Committee's Report on Income and Expenditure of Ireland," June 19, 1815. See also "Select Committee on Irish taxation," 1864, Appendix, p. 316.

The Irish debt was of very recent creation. At the beginning of the French war it was two and a quarter millions; at the beginning of the Rebellion in 1798 it had risen to ten millions; and the expenditure connected with the Rebellion, in addition to that of the war in the three years preceding, had more than doubled it.

The proportion of two-seventeenths of the joint expenditure being much more than Ireland was able to pay, it followed that the deficit was met by annual loans, to an extent far exceeding that which was necessary in Great Britain. The debt (unredeemed) which in the beginning of 1801 was nearly twenty-seven millions, had increased in 1806 to fifty-eight millions; in 1811 to seventy; on January 1, 1817, it exceeded one hundred and thirteen millions.[1] The increase had been specially great in the last three years of the war. In 1812 and 1813 fourteen millions had been added, and ten millions and a quarter in 1815. The total annual charge in respect of debt was six and a quarter millions in the beginning of 1817, as compared with a million and a half in 1801.

The British debt had increased likewise, but not with nearly the same rapidity. From four hundred and twenty millions at the beginning of the century, it had risen to six hundred and eighty-eight millions at the end of 1816. Two hundred and sixty-eight millions had been added in those sixteen years to the British debt; eighty millions to the Irish.[2] The time, therefore, had come for which the seventh

[1] If redeemed debt be included, the respective amounts in 1801 and 1817 were £27,792,975, and £140,902,769 (see "Evidence of Committee of 1864," pp. 269, 270). The exact amount of the total annual charge for debt, funded and unfunded, was, on January 1, 1801, £1,601,348; on January 1, 1816, £6,395,664 (see Select Committees of 1815 and of 1864–5). The most accurate source of information as to Irish finance, in this as well as in subsequent periods, is the Report of the Select Committee on Irish Taxation of 1864 and 1865. Previous financial statements are here carefully sifted by Mr. Chisholm, clerk of the exchequer, to whose labours this report owes its value. Mr. Chisholm gives (see Appendix to Report of 1864, p. 419), under eight headings, a list of twenty-five errors into which those who handle financial statistics generally, and more especially Anglo-Irish statistics, are liable to fall.

[2] These are nominal values. In Appendix No. 14, p. 410, of the Report

clause of the Act of Union had provided. The Irish debt, which in the first year of Union had been one-sixteenth of the British debt, was in 1816 between one-sixth and one-seventh. That is to say, the debts of the two countries stood to each other in nearly the same proportion as their respective contributions, as fixed by the Act of Union, to the joint expenditure. It was, therefore, "competent to Parliament to declare that all future expense thenceforth to be incurred, together with the interest and charges of all joint debts contracted previous to such declaration, shall be defrayed indiscriminately by equal taxes imposed on the same articles in each country, subject only to such particular exemptions or abatements in Ireland and in that part of Great Britain called Scotland as circumstances may from time to time demand." In one word, the treasuries of Ireland and Great Britain, which had hitherto been distinct, might now be consolidated.

It has been contended that this result was from the first foreseen, and that the contribution of Ireland to the joint expenditure was fixed by Pitt and Castlereagh with malignant skill at such an amount that, yearly settlements being impossible, an annual deficit must inevitably result, to be met by enormous loans swelling the debt of Ireland till Parliament should be entitled to extinguish the last remains of financial independence. To suggest the motives of public men is hazardous; to assert malign motives is always irrational. Incompetence, precipitation, pressure and prejudice of class and trade, and the need of following the lines of least resistance, here as elsewhere, will offer a readier explanation of the facts. The work of the historian is to

on Taxation of 1864, the actual value, *at current prices*, of the two debts, funded and unfunded, is given at both periods, viz.—

	Jan. 1, 1801.	Jan. 1, 1817.
British . . .	£329,868,585 . .	£546,299,034.
Irish . . .	23,198,810 . .	86,992,931.

The annual charge for British debt had risen from £20,842,216 in 1801, to £37,597,692 in 1817. Thus the charge in Britain had not quite doubled, while in Ireland it had quadrupled (see Appendix to Report of 1864, pp. 406–409).

judge whether justice was done, not from what motives it was left undone.

It was repeatedly urged by Grattan and others, in the debates which preceded the Union, that no information had been laid before the Irish Parliament justifying the ability of Ireland to pay two-seventeenths of the joint expenditure. Figures were procured by Castlereagh [1] justifying this proportion, derived from a comparison of the value of exports and imports from Ireland for the three years ending March 25, 1798, with the corresponding values in Great Britain for the same period. It is obvious, if any valid conclusion was to be drawn from these figures, that they should have been submitted to the most searching scrutiny. The time and the opportunity for such scrutiny was resolutely denied. Had it taken place, it would have been found that Castlereagh's figures were utterly untrustworthy. They were statements not of real, but of official values, and the official values bore to the real no fixed relation whatever.[2]

The reckless haste with which the details of the commercial settlement between the two countries had been made can indeed only be realised by reference to the official correspondence of the statesman who conducted it. The jealousies of manufacturers on both sides of the Channel had been kindled by the prospect of partial free trade. The Yorkshire manufacturers talked to Auckland of the "gross and insidious injustice" of allowing the Irish to retain their duty on woollens if the export duty on wool sent to Ireland was to be taken off. The Irish

[1] "Castlereagh's Memoirs," vol. ii. pp. 191–195.

[2] "As to official values," says Mr. Chisholm, "they are not considered to have any assignable relation to the real value" ("Report on Irish Taxation," 1864, Appendix No. 9, pp. 151 *et seq.*). In the case of exports, it was possible to define the real values, because the convoy duty was an *ad valorem* tax. But as to imports, no machinery for testing their real value was instituted till 1854. Moreover, the large exports of agricultural produce (see Wakefield, vol. ii. pp. 46–53) which were going on then, as in after years, were no sign of the wellbeing of the population. When the land of the country is owned by absentee or unproductive proprietors, large exports of agricultural produce, so far from being the sign of a nation's wealth, are the direct cause of its poverty.

manufacturers on their side were equally indignant. Pitt was in agonies lest an excuse should be given for delaying the measure. Castlereagh and his advisers soon came to the conclusion that "minute accuracy" in these matters was neither possible nor necessary; these duties were to continue but a short time, and the consequence of a small deviation from exact equality could not be of material injury on either side.[1]

The explanation that has often been given of the rapid increase of the Irish debt as compared with the British in the first sixteen years of the century, is the Irish refusal to accept an income tax, which had been imposed in Great Britain in 1797, and remained in force there till the end of the war. Ireland proposed, it is said, to raise money by loan, and naturally found her debt increase. If she had paid her way, the result would have been otherwise. But the truism is a mockery. As well tell a man stricken with palsy that he is suffering from want of exercise. How far Ireland paid her way may easily be shown. The sums extracted annually from the Irish people in taxation of all kinds increased from three millions in 1800 to six and a half millions in 1815. The proportion borne to the corresponding amounts taken from the British people remained nearly the same throughout. That proportion was approximately one-thirteenth; precisely that which the Irish peers, in their protest against the Act of Union, indicated as the fair proportion which Ireland should pay.[2]

Of the Irish loans raised from 1801 to 1816 hardly one-fifth part was raised in Ireland.[3] In 1815 her lending power had become exhausted altogether. It was necessary to borrow forty-three millions, of which seven millions were for the separate services of Great Britain. Of the remaining thirty-six millions nine were required on Irish account,

[1] See "Castlereagh's Memoirs," vol. iii., letters of April 11, 13, 18, 1800, pp. 274 *et seq.*; also p. 303.

[2] See Appendix No. 9, pp. 139, 140, of Committee on Irish Taxation, 1865. The total net produce of taxation, excluding costs of collection, rose in England from £30,549,214 in 1800, to £66,093,838 in 1815; in Ireland from £2,314,270 in 1800, to £5,277,832 in 1815.

[3] £15,934,954 out of £76,684,954.

but no attempt was made to raise any part of it in Ireland.

With regard to the apportionment of the vast sums raised by loan to the account of either country as fixed by the Act of Union, there is no proof that it was ever made with even approximate accuracy. In the Parliamentary inquiry into Anglo-Irish accounts that took place half a century afterwards, it was found that "no record was made in the books of the Exchequer of apportionment between the two countries as to what was separate and what was joint." Estimates of the proportion to be borrowed by either country were given to Parliament in the financial statements of the Chancellor of the Exchequer; but written proof that these estimates were acted upon there is none.[1]

In 1815 a select committee of the House of Commons was appointed to consider the financial position of the two countries. The committee reported that, as the Irish debt was now more than two-fifteenths of the British, the consolidation of their exchequers might now, consistently with the seventh article of the Act of Union, be properly effected. In the following year, a Bill founded on their report was

[1] "Report on Irish Taxation," 1864, evidence of Chisholm, vol. ii. p. 319. It is difficult for us to realise the laxity with which the public accounts of Great Britain were kept in those times. The Taxation Committee of 1864 found that till 1822 there had never been a real balance of income with expenditure (p. 16). It will surprise those who suppose that Irishmen are worse men of business than Englishmen or Scotchmen to find that, on the unquestioned authority of the clerk of the exchequer, "accounts of income and expenditure were far more accurately stated in Ireland than in Great Britain, up to the time when the exchequers were amalgamated" (see Appendix to Report, p. 419. See also Minutes of Evidence, Q. 6385). The following extract from Mr. Chisholm's examination before the Committee of 1864 may be of interest: "Q. 6398. Therefore, should it happen that the Act of Union directs the payment (of ante-Union debt) to be separate, that was violated in the account that was actually taken, was it not? Ans. That certainly was not done. Witness proceeds to explain the mode in which the accounts of the joint expenditure were kept: each item was examined as to whether it belonged to joint or to separate expenditure. Q. 6302. When you say this was done, when was it done? Ans. It was done at the various periods when the accounts for joint expenditure were settled. Q. 6393. What, year by year? Ans. It was not done year by year, certainly. Q. 6394 Was there any account made for eleven years? Ans. *I believe there was no account settled for eleven years.*"

passed without much discussion. A few remarks were made by Sir J. Newport and others as to the unfair proportion of the common burden imposed upon Ireland at the Union. Castlereagh replied in a speech of some hardihood.[1] "This," he said, "it had so happened, was the only part of the arrangement which was not objected to at the time. This had been admitted to be conceived in a spirit of indulgence." He could not have forgotten, but he must have supposed his hearers to have forgotten the indignant protests of the minority in either House of the Irish Parliament.

It has been often said that Ireland suffered nothing by the abolition of her exchequer, or even by the undue share of joint taxation laid upon her at the Union, which, by involving her in debt, had led to that abolition. During the sixteen years that her exchequer remained separate she paid to the tax-collector, not what she was bound by the Act of Union to pay, but what she was able to pay; the tax-gatherer received from her from year to year, not two-fifteenths, but only one-thirteenth of what he received from Great Britain. And although her inability to pay more involved her in an enormous debt, yet by the Consolidation Act of 1817 this burden was taken off her shoulders, and transferred to the united kingdoms.

But those who reason thus forget some essential conditions of the case. They forget that, if Britain was henceforth to share the debt of Ireland, Ireland was also to share the pre-Union debt of England, from which she had hitherto been free. Ireland, at the beginning of the great war with France, was all but free from debt. Her Parliament had voted large sums for the war, and she had incurred heavy expenditure in the suppression of the Rebellion. But even so, at the time of union her debt had not risen beyond one-sixteenth that of Great Britain. Had her share of the joint expenditure been fairly estimated, the sum which was actually collected from her taxpayers during the first sixteen years of the century would have left her financially independent, free or almost free from debt, able to nurse her growing manufactures, as England had nursed

[1] "Parliamentary Debates," vol. xxxiv. p. 611.

hers in previous centuries, and as other countries, our own colonies included, have done since; able, therefore, to supply the most urgent of her economic needs—an outlet for that part of her population which the tillage of the soil might fail to support. The Act of Union had provided for the contingency of an Irish surplus, which might be appropriated for the removal of taxation, or any local purposes which Parliament might approve. Such a surplus, though it could not have accrued during any of the years of war, even had Ireland's proportion of payment been reasonably rated, might well have arisen so soon as the war ceased. Evils for which the remedies attempted have been as vain as they were costly and perilous might have been prevented, or at least they might have been dealt with when more tractable, because less inveterate and overwhelming. By the consolidation of exchequers no such resource was left. There was, indeed, a clause in the Act of Union instructing Parliament to set aside for the purposes of encouraging agriculture or manufacture, or for the maintenance of institutions for pious or charitable purposes, a sum equivalent to that granted by the Irish Parliament on the average of six years previous to the Union. But those years were years of war, and some of them of rebellion. The sum so allotted for industrial purposes had been insignificant.[1] For any further needs Ireland had no expectations except from that clause in the Act which made it possible for Parliament to grant "such particular exemption or abatements in Ireland or Scotland as circumstances might appear from time to time to demand." Ireland was still entitled to plead *in formâ pauperis*. Charitable remissions, charitable doles of all kinds, private and public, have been heaped upon her capriciously, and, in times of excitement, with unstinting hand. But injustice balanced by charity is a miserable substitute for justice.

The exemptions granted by the Act of 1816 were for assessed taxes and land-tax. On these exemptions Ireland has been often congratulated.

[1] See "Taxation Committee, 1865," Appendix, p. 121.

The produce of her soil was great; her exports of beef, bacon, and butter, hides, and corn to England throughout the war were increasing; yet the land, the source of all this wealth, paid no tax to the State. The owners of it were untaxed for their carriages and horses, their butlers and footmen. No rate was levied as yet for the maintenance of the poor.

It was not seen at that time, though it has since become obvious, that the owners of the land were themselves the heaviest burden of the Irish State. The Irish landlord, receiving and spending rent, building no farmhouses, making no fences or drains, was still identified with the English landlord, who was a sleeping partner always, and sometimes an active partner, in the business of agriculture. Much was said against those of the landlords who were absentees, but it was not seen, till McCulloch explained it to the Commission of 1825,[1] that the economic difference between residents and absentees, if both one and the other spent their incomes unproductively, was of less moment than was commonly supposed. A tax upon absentees had been proposed by Lord Harcourt during his tenure of the Lord-Lieutenancy in 1773, and was again considered by Peel in 1842. A tax on land ownership would have been equally just, and, if wisely levied, with due security against evasion of its incidence, would have been economically sound and beneficial in its results. But to expect the Irish landowners to assent to such a tax was idle. Their own existence, unmodified for half a century to come by any official recognition of the rights of tenants, was a heavier tax than any other.

The underground agrarian conspiracies, which, in default of equitable government when lawful association has been crushed, have been the Irish peasant's sole defence against starvation, became at the close of the war unusually active. The average price of wheat, which in 1812 had been £6, and in 1813 £5 per quarter, fell in 1814 to £3, 12s., and

[1] "Evidence before Select Committee of House of Commons on State of Ireland, 1825," pp. 807–838.

remained at that lower level for the two following years.[1] The price of bread might seem of small moment to the peasants, the majority of whom could never afford to eat it. But when corn paid the rent, the fall in price brought ruin.

To keep up rents, arable land was converted into pasture, and the cottier tenants were evicted wholesale. At this time, moreover, the thirty-year leases granted during the years that followed the relaxation of the penal laws in 1778 were falling in. Few were the landlords who, like Lord Fitzwilliam, recognised any preferential claim of their tenants to renewal. The majority put their land to auction, and leased it to the highest bidder. The new leaseholders extorted the last penny from the cottier, and then got rid of him, to find another, if they could, to take his place. If the terror inspired by the Caravats and the Carders hindered "strangers" from bidding for vacant farms, and thus offered the sole available defence against ruinous competition, what wonder if the homeless peasant joined their ranks? The time when statesmen were to acknowledge that tenants had rights was half a century distant.

From 1812 to 1818 Peel was Irish secretary. He had entered Parliament three years before, as member for the close borough of Cashel, at the age of twenty-one. Though he did not come with the younger Pitt's prestige, yet much was looked for from him; and if he could not initiate a new Irish policy, yet he might at least have seen facts at first hand, and have taught others to see them. But since the Union many batteries and outworks had been added to the fabric known as Dublin Castle, now no longer controlled by a Dublin Parliament; and Peel, like other chief secretaries and viceroys after him, saw no light but such as passed through its loopholes.

In the summer of 1814, Peel brought in two Coercion Bills. The first, entitled "The Superintending Magistrates

			s.	*d.*
[1] Average price of wheat	. . .	1812 . .	122	8
,, ,,	. . .	1813 . .	100	6
,, ,,	. . .	1814 . .	72	1
,, ,,	. . .	1815 . .	63	8
,, ,,	. . .	1816 . .	76	2

Bill," enabled the Lord-Lieutenant to declare a district disturbed, to appoint a superintending magistrate with a salary of £700 a year, and a staff of special constables, and to charge the cost upon the county. The Bill passed rapidly through all its stages, and was read a third time on July 5.[1] Three days afterwards he took the stronger step of reviving the Insurrection Act of 1807, which in 1810 had been allowed to expire. In Peel's Bill there were a few slight modifications, but it contained the well-known clauses authorising arrest of suspected persons found outside their houses between sunset and sunrise, closing public-houses after nine, permitting domiciliary visits of magistrates, dispensing with trial by jury, and re-enacting the transportation clauses. He remarked, when introducing the Bill, that "in those parts of Ireland where the laws had been administered with the greatest severity, and where the greatest number of convictions had taken place, the terror arising from these convictions had hardly survived the cause, when new combinations of a more extensive and dangerous character had come to birth; and these combinations were carried on with a degree of secrecy that defied the law as it at present existed." He said that twenty counties were disturbed, and read letters from Roscommon and West Meath, detailing the outrages of Caravats and Carders. Some of these statements were ludicrous exaggerations,[2] but that others were as true as they were terrible is as certain as the existence of the causes which led to their commission. The symptoms were driven inwards; the sources of disease remained untouched. It will be seen afterwards that they were intensified.

The Whigs made a few protests against the suppression

[1] "Parliamentary Debates," vol. xxviii. pp. 163, 532.

[2] Mr. Baron Fletcher, in his charge to the grand jury of Wexford in this year, quotes the following specimen of the exaggerated stories then current:—"Such is the disturbed state of Ireland that one of the judges of assize upon the Leinster circuit, Mr. Justice Fletcher, in coming from Kilkenny to Clonmel, was pelted by stones in the town of Collan, and owed his safety to the dragoons that escorted him." On reading this statement the judge made inquiry, and found that a stone had indeed been thrown at his escort of five dragoons by a child of seven years old. This, he observes, was the entire outrage.

of trial by jury. An amendment was proposed to limit the operation of the Bill to a year. But no division was taken, and the Bill passed the third reading unchanged.[1] In the Upper House a few remarks were made by Lord Stanhope as to the hardship, pointed out by Wakefield five years before, of forcing the occupying tenant to pay his rent twice over when the middleman became bankrupt. But Lord Redesdale's reply was held to be conclusive: "Such was the law in this country; and, although it was the cause of discontent, such were the contracts, and it would be improper and unjust to alter them." He found it in the bond, and there was no Portia to refute him.[2]

In the following year, 1815, disturbances had not diminished. Applications were made by the magistrates of many counties to put the Insurrection Act in force. In the southern counties it was actually enforced. In the autumn Tipperary and Limerick were occupied by a large military force. Several attacks were made on the escort guarding the mail.

In the spring following, an attempt was made by Sir J. Newport to bring about an inquiry into the state of Ireland. He moved an address to the prince regent, stating that "the need of keeping a force of 25,000 men in Ireland in time of peace obliges us to consider its state as distressing and dangerous. We have granted repressive powers; we wish deliberate examination of the evils, and of the source whence they originate."

Peel replied. His speech was a mere echo from the Castle, without any sign of insight or judgment of his own. Disturbances, magnified when coercion was at stake, were minimised when inquiry was imminent. The north, he said, was tranquil but for the difficulties connected with illicit distilleries. The west was tolerably quiet. So was Leinster, and so on the whole was Munster also. Tipperary, King's County, and Limerick were alone disturbed. It was difficult, he continued, to give the House an idea of the exact nature of these disturbances. They had no precise or definite cause. He had no wish to depreciate

[1] "Parliamentary Debates," 1814 (vol. xxviii.), July 8, 13, 20.
[2] Ibid., vol. xxviii. p. 863.

Irish virtues. The Irish had many good qualities, but in those districts there was "a general confederacy in crime, . . . a settled and uniform system of guilt, accompanied by horrible and monstrous perjuries such as could not be found in any civilised country." He did not see any purpose that could be served by inquiry. Much harm was being done by the press. Catholic Emancipation had been spoken of, but he was convinced it would rather aggravate than mitigate the evil. He moved, as an amendment, that Government should lay before the House a statement of the disturbances in Ireland, and of the measures adopted for their suppression. The amendment was adopted by 187 votes against 104.[1]

And yet the obscurity which veiled the state of Ireland from Peel's vision would have been dispelled had he listened to the language used officially by a judge of assize in the very year when his Coercion Bills were passed. In the autumn of 1814 Mr. Baron Fletcher came to Wexford, and gave to the grand jury of that county such a charge as judges have not often ventured to deliver. He had been, he said, on circuit for many years in every part of Ireland. Conspiracy against the Government, treasonable correspondence with a foreign foe, he was convinced that there was none. But widespread disturbance there assuredly was; and manifold causes, deep-rooted and hitherto neglected, had conspired to create it.

What these causes were he then explained. He spoke of the high rents of land, driven by high prices and by competition to amounts far beyond what culture could repay; of the inevitable resort to illicit distilleries as a means of making up the deficiency; of the connivance at this evil by the resident gentry, because it ensured ready markets for corn and guaranteed the rent. He spoke of the shameless toleration of Orange associations, whose members were allowed to frequent the fairs and markets with arms in their hands, under the pretext of self-defence, but with the lurking view of inviting the attacks of the Ribbonmen, confident that, armed as they were, they

[1] "Parliamentary Debates," vol. xxxiv. pp. 11–75.

would overcome defenceless opponents and put them down. "These associations," he said, "poison the very fountains of justice, and even magistrates under their influence have in too many instances violated their duty and their oaths." He dwelt on the peculations of the grand juries, assessing their counties for the benefit of their friends; on the harassing cruelty of the tithe-proctor, pressing hardest on those who did most to improve their land; lastly, on the conduct of absentee landlords, extracting through their agents the uttermost penny of the value of the lands. "If a lease happen to fall," he said, "they let the farm by public auction to the highest bidder. No gratitude for past services, no preference of the fair offer, no predilection for the ancient tenantry, be they ever so deserving; but, if the highest price be not acceded to, the depopulation of an entire tract of country ensues. What, then, is the wretched peasant to do? Chased from the spot where he had first drawn his breath, incapable of procuring any other means of existence, can we be surprised that a peasant of unenlightened mind and uneducated habits should rush on the perpetration of crime, followed by the punishment of the rope and the gibbet? Nothing, as they imagine, remains for them, thus harassed and thus destitute, but with strong hand to deter the stranger from intruding on their farms, and to extort from the weakness and terror of their landlords, from whose gratitude or good feeling they have failed to win it, a preference for their ancient tenantry."[1]

Then he passed to the remedies. Was there no method of allaying the discontent of the people, and of hindering them from flying in the face of the law? Was there no remedy but Act of Parliament after Act of Parliament in quick succession framed for coercion and punishment? Was the Irish peasant so incurably debased as the English traveller, passed on from one country squire to another, all of them interested in concealing from him the true state of the country, and poisoning his ear with amusing falsehoods, was taught to believe? Remove its causes, the

[1] Mr. Baron Fletcher's "Charge to the Wexford Grand Jury in 1814." See Appendix to *Annual Register* for 1814.

disease will disappear. Let landlords build their tenants' houses, and see that they have at least what they have not as yet, "the comforts of an English sow." Let absentees come back; let the tithe system be revised; purify the grand jury presentments from gross jobbery; but over and above all these things reform the magistracy. Equal and impartial administration of justice was what the peasant needed; justice, which the rich man pursues till it be attained, but which, that it may benefit the cottager, must be brought home to his door. The commission of the peace in every county in the kingdom should be examined. During times of rebellion and war men have crept into it who ought not to remain. The needy adventurer, the hunter for preferment, the intemperate zealot, the trader in false loyalty, the jobbers of absentees,—these men should be expunged from the roll. The Coercion Acts revived this year had entrusted the magistracy with terrible powers. Let men be chosen who would not use these powers as he had known them used, for their own personal advantage.[1]

Judge Fletcher's words brought hope, it may be, to many a despairing spirit. But they were not audible beyond the Irish Channel. Peel was not content with thwarting Newport's motion for inquiry into the state of Ireland. A Bill was brought in[2] and passed, without attracting any notice or discussion thought worthy of being recorded in the Parliamentary chronicles, which, as though the power of the landlord to depopulate tracts of country by eviction were not large enough, made the work easier and swifter. The preamble recited that landlords suffered loss by tenants running away in arrears and deserting their tenements; that by the present process ejectments cost more than the tenement was worth; that a less expensive remedy was wanted; and that it would be convenient to

[1] "I have seen times," said the judge, "when persons who, thinking the lives named in their tenants' leases were lasting somewhat too long, have, by the aid of such a law, found means to recommend a trip across the Atlantic to the persons thus unreasonably attached to life; and thus achieved the downfall of a beneficial lease, and a comfortable rise of their income in consequence. Such things have occurred; I have known the fact."

[2] 56 Geo. III. c. 88.

give more summary powers by process of civil bill before the assistant barristers of counties. It was provided that, if the tenant was in arrears for half a year, or if he deserted, or left his land uncultivated, or carried off stock, proceedings of this more summary kind might be taken against him. Two justices were first to survey the premises and see that they were in the state described. As to the rent that might be due, they were to take the landlord's affidavit. They were then to sign a certificate, which the landlord was to serve with the process. If the tenant failed to appear or to prove his case, the landlord was to be put in possession.

The fifteenth section of the Act gave the Irish landlord what English landlords had long held,[1] the right of seizing growing crops in distress for arrears of rent. This poor remnant of tenant right, which the Irish peasantry had retained, was snatched away.

The effect of the Act was that the peasant who had sown his potatoes and oats in the spring, and crossed the Channel in the early summer to eke out his poor livelihood and earn his rent by haymaking in the English counties, came back to find his cottage unroofed, his crops sold, and his wife and children begging their bread. To authorise this summary procedure for arrears of six months was to hand over the tenantry bound hand and foot, for their landlords to work their will upon them; for the "hanging gale" of six months was a universal custom in Ireland. The formality of the landlord's affidavit, to be read and approved by two magistrates, who, when not landlords themselves, were landlords' agents or creatures, was as bitter a mockery of justice as had ever veiled itself in the garb of law. Nevertheless this Bill conceded something to the tenant. A clause was inserted to remedy the gross abuse of calling on the occupying tenant to pay his rent twice over, when the middleman had failed to pay rent to his superior. In such cases the occupier might recover by civil bill process to the extent of fifty pounds, and he might set off costs against rent subsequently due.[2] The clause was equitably meant, but it was utterly inoperative in

[1] By 11 Geo. II. c. 19.

[2] Section 16 of the Act.

practice. It was found by the Parliamentary committee of inquiry nine years afterwards that, whether from ignorance of the law or from the cost of litigation, procedure under this clause never took place. Practically the abuse remained unaltered. But the main purpose of the law was strenuously followed. Men and women were driven by thousands from their fields to make way for cattle.

Nemesis was kind; for she struck soon and strongly. The two years that followed were years of pestilence and famine. The oat harvest of 1817 was poor in quality and scanty. The potato crop had not failed; in some parts it was even plentiful; but the season was wet, and storage more difficult than usual. And many had none to store, for those they had planted had been seized. The seeds of typhus have been always endemic in Ireland. Favoured by some subtle atmospheric change, they ran riot on feeble frames depressed to the lowest stage of vitality by want, by forced idleness, by despair. Hordes of starving families were driven from their homesteads into the garrets and cellars of the nearest town; when hope of finding work was gone, and town after town had been visited in vain, they betook themselves to a life of aimless vagabondage, living on wild turnips and nettles when alms failed, and carrying death with them. From Donegal to Wexford, from Kerry to Armagh, hardly did a village here and there escape. The fever was in the highest degree contagious; doctors, priests, nurses were struck down by it. Strangers who had sought refuge in a cabin, sometimes even its usual inmates, were brought out when seized into the open air, and set down by the roadside, a rude imperfect shelter of sticks and straw being set up over their heads. Food was brought to them by the passers-by; the rough weather was less fatal than the tainted air of the cabins. Private charity and official help did not fail. Reports were called for from the physicians of every district, and a medical inspector was appointed for each province. Grants of public money were made. The medical reports, while dwelling with sufficient fulness on the insanitary conditions of towns and villages, the overcrowded lodgings unsupplied with air and light, the

want of hospitals in which to isolate contagion, and other such outward conditions of distress, are also unanimous in pointing to the more potent factors—vagrancy, starvation, cold, and above all the moral lethargy and despondency resulting from enforced idleness. These were for the statesman rather than for the physician to cure.[1]

Into some kind of action statesmen were driven. To enforce sanitary regulations, to form local boards of health, was well; to build tramp wards for vagrants would at least give work to those who built them. Something more was needed. With great reserve at first, and afterwards more boldly, the committee of 1819 came to the conclusion that political economy, as men then understood the word, must be set aside; that the State must provide work. "Seeing," they said, in their report of June 7, "that landlords in Ireland throw expense of buildings and repairs on the tenant, and bearing in mind the lamentable circumstance, almost peculiar to that country, of the non-residence of a great proportion of proprietors, they think that Ireland has a claim to the generous consideration of Parliament."[2] They suggested the establishment of public works; the reclamation of bogs and of mountain-lands; the revision of the fishery laws; and the formation of roads from the principal fishing-ports to the inland towns. Kind suggestions these; and the attempts to realise them were undoubtedly beneficial for the moment. Their permanent utility has been far more doubtful. That permanent good may result from public works wisely conducted, no one who has read history would deny. A despot has carried out such works for a dependent nation; a free Parliament for its own countrymen. But a board of works, responsible to the careless judgment of a distant and alien Parliament, has always sunk into jobbery. The grants for public works in Ireland were for a long time the purchase-money of Parliamentary support.

[1] Reports of Committee of House of Commons on contagious fever in Ireland, 1818 and 1819. The fever was typhus, complicated in the second year by an outbreak of relapsing fever.

[2] The second report of the committee, in 1819, is much more outspoken than the first.

The years that followed Waterloo brought gloom and oppression to Western Europe, in which Britain as well as Ireland shared. The suspension of Habeas Corpus, and the enactment of coercion in all its forms, was not limited to the western side of the Irish Channel. The Seditious Meeting Act of 1817, defied and enforced with bloodshed at Peterloo, two years afterwards, was followed by the Six Acts of December 1819. There were as many secret societies in Glasgow and in London as in Dublin or Cork. The West Riding was to the full as unquiet as Tipperary. During the two years of famine and disease, Ireland was too prostrate for disturbance. Times of misery are less dangerous to oppressive rulers than the memories which survive them.

One feature of the coercive legislation of 1817 is significant. The Seditious Meeting Act of that year was expressly made inapplicable to Ireland. The reason of the exemption was an open secret. Political associations of all kinds were amenable to this Act, and it was specially severe on those in which secret oaths were administered. It would, therefore, have suppressed the Orange lodges, which statesmen then, as in later times, while affecting to deplore, covertly supported. On Sir J. Newport moving that the Act should extend to Ireland, Lord Castlereagh observed that Ireland was in so tranquil a state as not to need unusual restraint. As to Orange societies, he very much regretted their existence; he felt persuaded that, after what had been said in Parliament about them, they would not be extended. On this occasion, however, it was not necessary for Parliament to interfere. To do so would provoke resentment. The sincerity of the pretext may be tested by the fact that in the same session Peel moved the continuance for a year of the Insurrection Act of 1814, which otherwise would have expired.[1] Yet Peel, too, was profuse in his assurance that Ireland was tranquil. "No description," he said, "could give an adequate impression of the distress prevailing in many districts. But subordination and good order prevailed even where that distress

[1] "Parliamentary Debates," vol. xxxv. pp. 812 and 1131.

was most deeply experienced." It is not famine that stirs men to action, but the memories of famine.

A moral lethargy hung over the country during those gloomy years. The cause of Catholic Emancipation was pleaded still by Grattan in Parliament. But the dispute as to the veto on Catholic bishops remained, and it hindered any cordial alliance between Grattan and the Catholic Board in Dublin. O'Connell was told by his friends that he was going too far, and was urged to yield. But he stood firm; he guarded the independence of his Church like the ark of the covenant. He was no bigot; Ireland was now, as always, more to him than the Church: but in the Church of the majority, free from State control, lay the smouldering embers of national life. O'Connell's firmness during those years is not the least of his titles to his countrymen's gratitude. From time to time he issued a stirring appeal to the Catholics of Ireland, urging them to hope against hope, gratefully recognising the support of their Protestant countrymen in their struggle for justice, but firmly rejecting every compromise that involved State interference with Church government.[1]

In 1820 Grattan died at the age of seventy. His last speech in Parliament had been a protest, in the previous year, against the tax on air and light, which, as medical evidence had shown, had done much to foster and propagate the recent pestilence. It was a fit close of his career. In the spring of 1820 he had come from Dublin, intending to present the usual petitions of the Catholics. His strength was already failing, and he was urged to leave the task to another. But he chose to die at his post.

He had served for twenty years in the Irish, and for fifteen in the united, Parliament. His judgment as to the Union never altered. But the marriage, he said, had taken place, and it was the duty of every one to render it as fruitful and advantageous as possible.[2] His life, public or private, had been without a spot. For a brief moment

[1] See letters to Catholics of Ireland of October 1819 and January 1821, in "O'Connell's Life and Letters."

[2] Speech on window tax, May 4, 1819.

it seemed as though it would have been his lot to wield in Ireland the power that Pitt had held in Britain; far different then would have been her destiny. In Westminster men listened to him with reverence; for with some peculiarities of manner, he had every gift of the great orator—close argument, ready words and wit, the vehemence of a fiery nature stirred by a great purpose. In pleading the cause of civil justice for Catholics, his task was hard from its simplicity. The ablest men either agreed with him, like Canning, or, like Peel, evaded arguments which they could not meet. But large masses of the British population were against him, and he was left to wrestle with a dead weight of ignorance and obstruction, which rolled back again and again like the stone of Sisyphus. But "he knew the strength of the cause that he supported: it would walk the earth and flourish when dull declamation should be silent, and the pert sophistry that opposed it should be forgotten in the grave."

That his life in London had somewhat blunted his insight into Ireland's needs can hardly be denied. He took less part than others in pressing that systematic inquiry into the condition of the country which Parliament for twenty years persistently refused. He limited himself too exclusively to the Catholic question, and was far too willing to accept the compromise of State interference with the clergy, which O'Connell had resisted. Dissension between the two Irish leaders was inevitable. But of the two it was the younger that understood and judged the other best. Grattan, said O'Connell, quoting words that had been used by Grattan himself of Flood, was an oak of the forest, and would not bear transplanting.[1]

[1] See "O'Connell's Life and Speeches," vol. ii. p. 183. The previous words of O'Connell's speech, made five years before Grattan's death, when Grattan had refused his usual advocacy of the Catholic claims in Parliament, are worth quoting: "I recall to mind his early and his glorious struggles for Ireland. I know he raised her from degradation, and exalted her to her rank as a nation. I recollect, too, that if she be now a pitiful province, Grattan struggled and fought for her whilst life or hope remained. I know this and more, and my gratitude and enthusiasm for these services will never be extinguished."

He was buried in England's abbey with splendid honours. The Duke of Sussex, Mackintosh, Tierney, Wilberforce, Brougham, followed in the procession; the Duke of Norfolk and the Duke of Wellington were pall-bearers. An illustrious death, constrasting strangely with that of O'Connell, nearly thirty years afterwards, in a foreign land darkened by disaster and apparent failure. But there are some failures which outweigh success; and, in the memories of Ireland, these two names will remain united.

NOTE TO PAGE 250

It was arranged by the Act of Union that each nation should be charged with its own ante-Union debt. This would have been just to Ireland as to England, but for one consideration, viz. that by far the greater portion of the ante-Union debt of Ireland was the result of the fooling of the English Government subsequent to the recall of Lord Fitzwilliam. In 1793, the debt of Ireland (unredeemed funded and unfunded) was only £2,253,000. In 1798, it had risen to £10,130,000; in 1801, to £28,541,000. By a strange perversion, this rapid increase of debt has been attributed to the extravagance of Grattan's Parliament. If so, why was no such extravagance exhibited prior to 1795?

III

THE CATHOLIC ASSOCIATION

THE Catholic cause depended henceforth on the life of no man, however strong. Clear-sighted statesmen saw it to be inseparably bound up with the social life of the Irish people, whose condition grew year by year more disturbed and critical. Grattan, in his last speech, had spoken of the miserable state of Dublin. He specified two parishes containing 8227 houses, of which 2487 were either shut up or unable to pay county cess and window tax. The Bank Act of 1819, wise as it may have been, strained and broke the slender threads of commerce in the southern towns. Eleven of the Munster banks out of fourteen failed. Famine again threatened; disturbances did not cease. It was clear that Ireland could not be let alone. Renewed efforts were made to settle the Catholic claims by a compromise involving State interference with the priesthood.

In February 1821 Plunket brought forward a series of six resolutions for dealing with the Catholic question. They set forth that, whereas certain oaths and declarations were necessary as a condition for the enjoyment of certain rights, these might now be safely repealed or altered. The oaths of disbelief in transubstantiation and saint-worship should be repealed; that of the king's supremacy should be so modified as not to imply that the king exercised spiritual as well as temporal supremacy in religious matters. The Protestant succession was specially guarded; the offices of Lord Chancellor and Lord-Lieutenant of Ireland were reserved for Protestants.

Peel opposed these resolutions; but they were carried by 227 against 221. On March 16 a second Bill was brought in, enacting that no person should be a bishop

or dean in the Roman Catholic Church, whose loyalty and peaceable conduct should not have been previously established. Every priest was to swear that he would not recognise any bishop of whose loyalty he was not personally satisfied; that he would not correspond with the pope or any of his agents as to the disestablishment of the Church in England, Scotland, or Ireland; that he would not hold correspondence with Rome on any matter touching his civil allegiance. Energetic remonstrances against this Bill poured in from Ireland. O'Connell denounced it. The Catholic Archbishop of Dublin expressed the unanimous dissent of his clergy; but it passed the second reading by a small majority. The resolutions previously carried were then made part of the Bill, and it passed the third reading. In the Upper House it was opposed by Lords Eldon, Liverpool, and the Duke of York, and thrown out on the second reading by 159 votes against 120.[1]

The discussion had produced more acrimony than it had alleviated, and had the Bill passed into law, the bitterness would have been aggravated. Another plan was now tried. Irishmen had been deprived too long, it was said, of the sunshine of royalty. No king had been in Ireland since William III. If the king now were but to show his face to Irishmen, all would be well. George IV. went to Dublin in August, and stayed in Ireland for a month. The plan seemed to prosper marvellously. All Dublin poured forth to meet him. "The king was all affability," says the chronicler, "condescending to shake hands with the lowest of the populace. During the whole period of his stay in Ireland he met with nothing but the most ardent demonstrations of loyalty. 'My heart,' the king assured them, 'has always been Irish. From the very day it first beat,

[1] Mr. Shaw Lefevre, in his work "Peel and O'Connell," p. 50, notes this as "the first of a very long list of cases in which remedial measures for Ireland, passed by the House of Commons, have been rejected by the House of Lords." He remarks that "the House of Lords has been leavened and prejudiced on Irish questions by a number of peers from Ireland, representing only one, and the smallest section of the people, and only one interest, that of landlords; a body without any popular sympathies, and the determined opponent of every measure of justice to their country."

I have always loved Ireland.'" The Irish question, some thought, was solved. No one was more profuse in his demonstrations than O'Connell, and no one was more sincere. The Nationalists eagerly hailed the opportunity given them of showing that their hatred of the Union had no tinge in it of disloyalty to the Crown. There lived not a man, O'Connell had said before, and continued to say, less desirous of separation than he, or more desirous of independence.[1]

Those who supposed that Irish loyalty meant satisfaction with English institutions were delighted with this enthusiasm, and imagined for a moment that the Irish had been soothed, like offended children, by so simple a remedy. The disillusion came soon, and is thus recorded by the chronicler: "It is melancholy to be obliged to relate that the events of October, November, and December destroyed all the splendid anticipations to which his Majesty's visit to Ireland had given rise in the minds of those who possessed a superficial acquaintance with the character of that people. The gaudy and hollow bubble of conciliation soon burst, and a system of outrage, robbery, murder, and assassination commenced, hardly to be paralleled in the annals of any civilised country. The counties of Limerick, Mayo, Tipperary, and Cavan were the chief seats of the disturbance."[2] In Limerick, Mr. Going, a magistrate, was attacked on the public highway, and his body riddled with shot. His watch and a large sum of money were left untouched. The body was guarded home by a military escort. Within an hour bonfires were lit on every hill to tell the deed far and wide, and shouts of exultation rose from every village. Near Nine-Mile House, in Tipperary, a mob surrounded the house of Shea, an agent, who had recently removed some under-tenants from lands which they held at will. They fired the house; Shea burst through the crowd, but was caught and hurled back into the flames. These deeds of horror can be told. But the pangs of hunger, the sight of children starving, the unroofed cottage, the winter's food carried to the agent's

[1] Speech of January 29, 1813.

[2] *Annual Register*, 1821.

granary, who weighed these in the balance? "It is clear," says the chronicler, "that the common people were confederated; that they wished to dictate the regulation of property; that they resisted the payment of taxes and tithes, and had bound themselves by the profanation of an oath to enforce those wicked plans by plunder, torture, and murder." Clear indeed; if only the writing of the Fates could have been read with understanding.

That, when Parliament met in 1822, the Habeas Corpus Act was suspended, and the Insurrection Act renewed, at first till the close of the session, and subsquently till August in the following year, was matter of course. In April, famine,[1] which had been lowering for a year, burst again on the land with the suddenness peculiar to countries where each man raises his own food, and market prices do not give the usual warnings. A wet autumn had again rotted the potatoes in the ground. When the small part of the crop that was saved had been nearly consumed, the price suddenly rose from three-halfpence to sixpence the stone. In Clare county, thirteen thousand people were reported from the barony of Clonderalaw as being without seed for the next crop. In the parish of Finloe, seven out of every eight men were starving. Throughout Galway, Sligo, Kerry, Cork, the same tale was told with dismal iteration. Men asked what crimes were punishable with imprisonment, for in the prisons there was food. And, as it had been four years before, famine was followed closely by typhus fever. English charity was stirred. A quarter of a million was raised by private charity; half a million was voted by Parliament. It is noteworthy that many debates took place during the session of 1822, on what was called agricultural distress throughout the three kingdoms. But the distress in Great Britain was not due to famine, but to plenty. Wheat fell during the year to 46s. and never rose above 56s. The sufferings of English landlords and farmers were more than balanced by the blessing of cheap bread to

[1] The *Annual Register*, which gives, but also which withholds, much important information on Irish events, mentions the famine of 1821–2, but is silent on the more terrible famine of 1817–18.

Manchester and Birmingham. But the Irish cottiers did not know the taste of bread.

The debate that took place on the renewal of Sir. J. Newport's motion for inquiry[1] into the state of Ireland showed a growing consciousness that the experiment of governing Ireland from Westminster had not as yet succeeded. Newport dwelt on the admitted evils of absentee proprietors; on the broken spirit of the resident gentry; on the absence of all interchange of kindly offices between high and low; on the increase of internal taxation, unaccompanied by increase of revenue. Exports increased, while the peasantry starved; for what Henry Boyle said in 1747 was true still, that there was no country in the world so fertile as Ireland, whose inhabitants consumed so little of their own produce. These things had been said before; but it was a new thing that they should be enforced by the weighty authority of Grant, who had been Irish secretary, in succession to Peel, from 1818 to 1821. It must be admitted, said Grant,[2] that not merely was the landlord an absentee, but very frequently the agent also; and, in addition to the rent which the tenants paid to the landlord, pecuniary considerations were exacted by both the agent and his deputy. The absence of proprietors, the habit of letting land to the highest bidder without regard to the claims of former occupiers, the fact that when prices were high rents were exorbitant, when prices were low rents had not been reduced adequately, furnished too much ground for the complaint prevalent in Ireland as to the price of rent. Newport's motion was withdrawn; but the time for resisting it was swiftly passing by. It was melancholy, as Lord Lansdowne had said at the opening of the session,[3] but also it was obvious, "that, though it was now more than twenty years since the Union, it was still necessary, in discussing the interests of the United Kingdom, to consider those of Great Britain and Ireland separately as two distinct parts."

[1] April 22, 1822.

[2] "Parliamentary Debates," vol. vi. (new series), pp. 1509-10. The whole speech is worth reading.

[3] Debate on address, February 15, 1822.

A Bill was brought in by Goulburn, who had succeeded Grant as Irish secretary early in 1822, to facilitate the employment of the poor in road-making and other public works. They were to be carefully supervised by Government officers, and the amount of money granted was not to exceed that for which grand juries had made presentments.[1] Some attempt was made by Lord Lansdowne and by Newport to touch the question of tithe. Gratttan's exposition of the iniquitous mode of collecting it was repeated, and the remedy he suggested forty years before, the principle of commutation actually adopted in 1838, was suggested. But to this a deaf ear was turned. Tithe, said Lord Liverpool, was as sacred as rent. Half a century was to pass before the sanctity of rent itself should be disputed. Nevertheless a measure was proposed and carried by Goulburn in the following session, which was a first step in this direction. The Bill authorised the Lord-Lieutenant, on the application of the incumbent or of the principal tithe-payers, to order a special vestry to be convened, who were to choose a commissioner for the purpose of fixing commutation on the basis of the average price of corn for the preceding three years. The incumbent was to choose another commissioner, and there was provision for such further arbitration as the case might require.

The appointment of Lord Wellesley to the viceroyalty in the winter of 1821–22 brought the Irish a friend; and the death of Castlereagh in the following autumn removed a statesmen not less fatally mistaken in his Irish than in his British and European policy. The viceroys since the Union had not been distinguished men.[2] Lord Hardwicke held the office till 1805, and had not left his mark. The Duke of Bedford had been popular during his few months of office, and had been drawn by an enthusiastic crowd to the waterside in significant demonstration against those who had caused his recall, rather than for any good thing that he had done. Of the Duke of Richmond, Lord Whit-

[1] "Parliamentary Debates," vol. vii. p. 1029.

[2] Neither viceroys nor chief secretaries were members of the Cabinet during this period.

worth, Lord Talbot,[1] no more is to be said than of the brave Gyas and the brave Cloanthus in the Æneid. The Irish secretariat had greater names to boast of. Wellington had filled the office from 1807 to 1809; Peel from 1812 to 1818. Peel's cautious, cold temperament had rendered him singularly slow to understand the people he had come to rule. His successor, Grant, had learnt the lesson much more aptly. On Catholic Emancipation, now an open question for ministries, it had became an established practice that the Lord-Lieutenant and the Chief Secretary should be of opposite ways of thinking. Thus the commonplace conservatism of Goulburn was thrown in to balance the wider sympathies and vigorous brain of Wellesley.

Wellesley's sympathies with Catholic Emancipation were less important than his firm resolve that the Orange conspiracy should no longer openly insult the feelings of the majority of the Irish people. It had been the practice to decorate the statue of William III. on July 12, and on November 4 and 5. In 1822 the celebration had caused the usual disturbances on the first of these occasions, and notice was given before the second that it would be forbidden. The prohibition was bitterly resented by the Orange leaders. The merchants' guild passed a resolution condemning it. Six weeks afterwards Lord Wellesley was insulted and attacked in the Theatre Royal. Ten arrests were made, and three men were charged with conspiracy to murder the viceroy. But a jury was selected by one of the sheriffs which ignored the bill altogether in the case of eight of the prisoners, and in the other two brought in a true bill as to the minor charge of rioting.[2] The inquiry instituted by the House of Commons in the spring of 1823, into the conduct of the sheriff, threw much light on the

[1] The Duke of Richmond held office from April 1807 to August 1813; Lord Whitworth, till October 1817; Lord Talbot, till December 1821; Lord Wellesley, till 1828.

[2] See papers relating to riot at Dublin Theatre, December 14, 1822, p. 4. Also evidence taken before the House of Commons in committee, May 1823. The evidence of Sir G. Whiteford, foreman of the grand jury, a man known to be unfavourable to the disuse of the statue-decoration, is specially instructive (pp. 105–110).

nature of the Orange associations; and showed also that the institution of the jury was as clay in the hands of the potter to the bitter partisans who were allowed to form the panel.

Meantime, under Wellesley as under Talbot, under the Insurrection Act of 1822 as under its predecessors, agrarian crime, the gnashing of teeth of the hunted animal at bay, the peasant's savage protest, not seldom his protection, against injustice and hunger, had never slackened for a month. In May 1823 a Bill was brought in to continue the Insurrection Act for a further term. On the second reading[1] Sir H. Parnell reviewed the history of coercion since the beginning of the century. The Insurrection Act of 1796 had been prolonged to 1802. From 1803 to 1805 there was martial law. The Insurrection Act had been renewed for three years in 1807, and again for four years in 1814, and yet again in 1822. In many of these years, Habeas Corpus had been suspended. The Arms Act of 1807, the Peace Preservation Act of 1814, had remained in force since their enactment. Only four years could be found out of twenty-three that could be spoken of as tranquil.[2] He moved for a committee of twenty-one members to inquire into the recent disturbances. The committee was refused, and the Bill passed by 88 votes against 39.

But these feeble efforts to deal with Irish problems were soon to be superseded by a new force, wholly unforeseen, and far more effective than any that had arisen since the times of Parliamentary independence; the appearance of the Catholic Association as the organ of social reform and national life.

The dissensions of the reforming party on the question of the veto had left behind them a state of apathy and hopelessness which it appeared impossible to rouse. The Catholic Board, which, on the suppression of the Catholic Committee in 1812, had taken its place, never rose to importance. It was a debating-ground between the Catholic gentry willing to concede the veto and the Catholic priest-

[1] June 24, 1813; "Parliamentary Debates," vol. viii. p. 1148 *et seq.*

[2] Viz. 1802–3, 1805–6, 1810–11, 1818–19.

hood resolute to maintain their independence. O'Connell sided with the priesthood; indeed, it was he who had first stirred them to resistance. But among influential laymen he stood for a time almost alone. The attendance at the board meetings fell off; the very rent of the office was often paid from O'Connell's purse;[1] and after a few years the society ceased to exist. Between 1819 and 1822 O'Connell's annual addresses to the Catholics of Ireland alone fanned the spark of hope. Besides these there was no sign of life, except in the wild forces of insurrection in the south and west, which one day a potent leader might arise to subdue and guide.

In 1823 O'Connell and Sheil, with a few friends, met in a tavern in Sackville Street, and drew the outlines of a new society, under the title of the "Catholic Association of Ireland." Its purpose was described to be that of adopting "all such legal and constitutional measures as may be most useful to obtain Catholic Emancipation." It was needful to steer clear of the Convention Act of 1796, forbidding delegation. The association was, therefore, expressly declared not to be a representative or delegated body. It was not limited to Catholics. Every one who subscribed £1, 2s. 9d. annually was to be a member. Reporters were to attend. The meetings were to be held at three on Saturday afternoons; and if by four o'clock ten members had not assembled, the meeting was to be adjourned.[2]

A small debating club with reporters—such was the imperceptible germ of what in a few months would be a wide-branching tree. Subscriptions flowed in rapidly from every part of Ireland. Lords Killeen, Gormanston, Kenmare, and many other influential Catholic landlords, sent in their adhesion. The clergy joined them. After a few weeks the meetings began to flag, and were on several occasions adjourned for want of a quorum. O'Connell then devised a new scheme. Let the people be appealed to, he suggested; let subscriptions be invited in every town, in every

[1] See "Life and Speeches," vol. ii. p. 242.

[2] These regulations, adopted May 24, 1823, are given in the fourteenth Appendix to Wyse's "History of Catholic Association."

village. If but a million of the Irish people gave a penny per month, an income of fifty thousand pounds would be raised for the public good. Their objects, he said, were the following:—First, to convey to Parliament petitions from every county and parish in the kingdom, not only as to Catholic Emancipation, but as to every legal grievance requiring redress. For this purpose they needed a Parliamentary agent in London, who should act for them in the same way that colonies were represented by their agents. Secondly, they needed funds to resist and to prosecute in the law courts acts of violence committed by Orangemen. Thirdly, it was essential that their cause should be represented in the English as well as the Irish press. And, finally, to secure the ardent adhesion of the priests, the support of Maynooth and of free Catholic schools was added to the programme.[1] Collectors should be appointed for each parish to receive the monthly subscriptions, the lowest being fixed at a penny, the highest at 2s. In this way the peasant, the workman, the small tradesman, would feel that he had a voice in the association—that he was working in the common cause. The plan was thought irrelevant by some, chimerical by others. But it was adopted; and O'Connell, with Sheil and a few others, received powers from the association to carry it out. It succeeded marvellously. Collectors volunteered in every part of Ireland. From the child of seven to the grandfather of seventy, every Catholic in Ireland was invited to contribute. Every one who contributed felt double ardour in the cause. The institution of the *Catholic Rent*, so the subscriptions were called, stimulated discussion, and linked the people together from one end of Ireland to the other. "It is difficult," says the historian, himself an active leader in the cause, "to paint to a stranger, it is unnecessary to paint to a witness, the spirit of extraordinary enthusiasm which burst forth at that period throughout all Ireland. It was the beginning of a totally new order of things." "As

[1] This scheme was first proposed at a meeting of the association on February 4, 1824. A full account of it is given in the *Dublin Evening Post* of the following day.

the collectors increased and improved their system, they enlarged its objects. They took rooms, and held their meetings weekly; and not only received reports of rent and remittances to the association, but discussed every subject of public policy connected with the general question. The feeling of the people was awakened.[1] They saw, in their own words, that something was to be done for them also. It was not a cold question of distant and doubtful advantage; the readmission of the peerage or the gentry to the privileges of their order; the extension of legal honours and emoluments to the Catholic barrister; but it was the strong and home assurance which every peasant soon had of instant protection against local wrong, the redress of the law against the law, the assisting hand in distress from a body in which he found the interpreter of his own sufferings; and the conviction that, whilst others still sought their emancipation, his emancipation had already begun. Every complaint was listened to, every injury was inquired into; protection was promised, and the promises made good with a precision and promptitude which they failed not to contrast with the slovenly and reluctant justice of his Majesty. The decision of the bench was almost second to the debate of the association. The village magistrate detested but feared it; the peasant appealed to it and obeyed it. A fourth estate rose up in the kingdom, as powerful in many instances as the other three."[2]

The fact is that, without the slightest claim, without a

[1] O'Connell invariably repudiated the notion that the admission of a few Catholic gentlemen to Parliament was all the Irish wanted. See, for instance, his speech in the Corn Exchange, February 9, 1825 (reported in *Dublin Evening Post*): "We are collecting the rent for the benefit of the people; for them we are bound to seek protection and redress. We seek to establish a holy alliance between the English Throne and the Irish people; and so long as the mockery exists of making the people pay Church rates when there is no Church, and tithes when there is no parson, so long must we continue to protest and appeal."

[2] Wyse, "History of Catholic Association," vol. i. pp. 205–211. See also "Evidence of Select Committee of House of Commons, 1825," pp. 346, 373, and 838. Major Warburton, of Ballinasloe, observes (p. 842), "I did not conceive any system of government could be so complete in carrying on communication from heads to inferiors; I thought it a most complete organisation for that purpose."

sign of any secret desire, for political independence, the small group of men who met from week to week under O'Connell's guidance in the room in Capel Street had established for the moment an efficient, though an extremely irregular, system of self-government. If the essential function of government be the protection of life and property, the association performed that function more effectively than any Government which had ruled Ireland since the Union, possibly since the English conquest. By the common consent of all the witnesses who gave evidence to the House of Commons on the subject, disorder, insurrection, murder, which Arms Bills, Insurrection Bills, or Peace Preservation Bills had been powerless to arrest, suddenly ceased. On the repression of crime O'Connell spoke in unvarying tones of unmistakable sternness. It was one of the two edges of the sword he wielded that his voice on this matter was heard and obeyed.[1] And so it was that Peace for a short space visited the land, with Hope as her forerunner.

Some day, perhaps, it will be thought strange that no British statesman could be found to whom the very strength of this association constituted the best reason for its continuance. An *imperium in imperio* it was called, and it undoubtedly was. But the existence of one authority within the compass of another does not of necessity imply that it is a cancerous growth requiring extirpation; it may be a healthful organ of the body politic, subserving its purposes and adding to its force none the less that it may have arisen in a spontaneous and unforeseen way. A

[1] See, as one example among hundreds, his speech in St. Michael's Chapel, Limerick, March 22, 1824 (reported in *Dublin Evening Post* of March 27). Alluding to agrarian crime in Munster, he said, "Many a widow, many an orphan, grieves over the consequences of these disturbances. Murder—oh, it brings the curse of Heaven on their heads; the hand of man pursues to punish it; the red right arm of God's avenging justice hangs over the head of the murderer and of the midnight assassin! Let me not be misunderstood. I do not say you do not labour under grievances; that the tithe system, Church rates, grand jury jobbing, Orange bigotry, corporate monopoly, are not grievances. Your wrongs I pity; whatever of life and talent I possess, it is directed to redress them; but until you drop your evil proceedings I can be of no use to you."

society professing and practising obedience to the law as it stands, enforcing it when good, urging its repeal when bad, is not a hurtful society, however strong; it is beneficial in the direct proportion of its strength. Now, to a British Government, if such there could then have been, that strove to govern Ireland with a single eye to wisdom and justice, the Catholic Association was fulfilling an invaluable purpose. It was bringing to the knowledge of the rulers the needs of the land they governed. Like the *cahiers* of the French States General in 1789, it gave expression for the first time to the grievances of every barony, every parish of the four provinces. The Irish members of Parliament should have done this, it may be said. But most of them would not, and most could not. To the few who were willing and able, Parliament rarely gave a hearing; and on no occasion as yet had it so far followed their counsel as to consent to the appointment of a committee to investigate the facts.

These facts were now dragged into the light. For the first time in Irish history had a British Government the means of knowing what the mass of Irish people thought of rack-rents paid twice over; of tithe-proctors valuing potato-fields by good years for the quantity, by bad years for the price; of the gross jobbery with which county cess was levied and squandered; of roads kept in repair at £5 the perch; of the village tyrants dispensing injustice from the bench; of the armed Orangeman swaggering in country fairs boasting, and not seldom proving, his impunity for acts of violence, while against Ribbonmen the midnight search for arms was rigorously pursued. Those things were now for the first time publicly and systematically canvassed. Over and above these were the grievances of religious inequality; the Catholic parish rated for the building and repairs of the Protestant church, even to the very payment of organist, tuner, choristers, and cost of the Prayer-books; the public money voted for the Kildare Street schools, nominally unsectarian, but used, if not designed, for proselytising; and, finally, as keystone of the arch supporting the fabric of oppression—the laws that shut out the Catholic

from exercise of civil rights. And the society that performed this invaluable service rendered yet another of which no Government had hitherto been found capable—it maintained order, and protected property and life.

That toleration of such a society would have been the wisest policy, it is not difficult now to see. But of such a policy the statesmanship of that time was incapable. It was not yet recognised that for the union of a scattered empire, agitated by divergent, often hostile, interests and traditions, delegation of power was the first condition of orderly ascendency. The boroughs of England and Scotland had not yet gained their freedom; the British colonies were governed by a sub-department of the War Office. It was not to be thought of that Ireland should manage her own affairs, even within the humble limits of presenting to Parliament and to the public systematic statements of her own grievances.

In December 1824 O'Connell was prosecuted for seditious language. The words said to be used by him have not a very formidable sound, and even the *Times* newspaper ridiculed the prosecution. The grand jury ignored the bill.[1]

The king's speech at the opening of the session of 1825 showed that the Association was not to be allowed to enjoy its triumph. "Outrages," it said, "have so far ceased as to warrant the suspension of the extension of extraordinary powers in most of the districts hitherto disturbed. Industry and commercial enterprise are extending in that part of the United Kingdom. It is the more to be regretted that associations should exist in Ireland irreconcilable with the spirit of the constitution, and calculated, by exciting alarm and

[1] The words with which he was charged were these: "Nations have been driven mad by oppression. He hoped that Ireland would never be driven to resort to the system pursued by the Greeks and the South Americans to obtain their rights; he trusted in God they never would be so driven. He hoped Ireland would be restored to her rights; but if the day should arrive, if she were driven mad by persecution, he hoped that a new Bolivar might be found—that the spirit of the Greeks and that of the South Americans might animate the people of Ireland" (see *Dublin Evening Post*, December 20 to January 5).

by exasperating animosity, to endanger the peace of society and to retard the course of national improvement."

The contradictions in this speech, asserting Peace to be endangered by the association under whose influence she had at last appeared, were not passed in silence. Brougham began a powerful speech by remarking that, though associations were spoken of by the Government, one association only was aimed at; and that, whatever the terms of the new law to be enacted, no even balance would be held between Catholic and Orangemen. But what was the ground for any such measure? "I take it upon myself conscientiously to say that, after the most attentive and vigilant observation of all the Catholic Association has done and said, I cannot discover a single word or act which justifies the charge made in the king's speech." After reviewing the facts in detail, he concluded thus: "It would at present be no difficult task to alienate the minds of the people of Ireland from this country. They were taught to look to the British Parliament for support; that support has failed them. They were advised to look up to their representatives, but there again they found themselves deceived. I lament the fact, but so it is, that the peace of Ireland is secured by the Catholic Association, and by the Catholic Association alone. Ireland is at this moment tranquil. Never were the laws of the land more regularly enforced, more cheerfully obeyed in that part of the country, than they are at present. Some abuses are still complained of; yet such is the luxury of even an approach to an equal distribution of justice amongst these poor people, that they already rejoice and feel comparatively happy. There never was a period when disaffection was less to be apprehended than at present; and there is only one way in which those unfortunate disturbances can be rekindled, namely, by taking legal steps to put down the Catholic Association."[1]

Substantially the same things were said in the Upper House by Lord Lansdowne. Was it not more desirable, he asked, that public opinion should make its way by open channels than by secret ones? But such language was, of

[1] "Parliamentary Debates," 1825, vol. xii. pp. 63-68.

course, unavailing, and a few days afterwards the Bill appeared. It was impossible to rely on the well-worn clauses of the Convention Act, which forbade delegation, because delegation, on the present occasion, there was none. The body which met on Saturdays in Capel Street was in no sense, except the moral one, representative. Every member—that is to say, every guinea subscriber—might, if he chose, attend every meeting. It was with this preliminary difficulty that the Bill had to deal. The recital, after reference to the Convention Act, proceeded thus: "Whereas it is found that societies, committees, and other bodies, without previous election or appointment, . . . may be so constituted that the mischiefs intended to be provided against by the said Act may equally arise;" and enacted that any society now or hereafter constituted in Ireland, "exercising the power of acting for the purpose of procuring the redress of grievances in Church or State, or the alteration of any matter by law established, . . . or for the purpose of carrying on or assisting in the prosecution or defence of causes civil or criminal, . . . which shall continue their meetings or proceedings by adjournment or otherwise for a longer time than fourteen days from their first meeting," . . . or "which shall authorise any body or bodies to levy or receive any money or contributions from his Majesty's subjects, . . . shall be deemed an unlawful combination and confederacy."

The third section referred to the clauses of 4 Geo. IV. c. 87, for preventing the administration of unlawful oaths, and forbade all associations which administered any oaths whatever at times and places not required by law, or which "excluded persons of any form of religious faith." This clause, if enforced, would have been fatal to the Orange Association; but it was not enforced.

The eighth section enacted that "nothing herein contained was to affect" any society formed for religious worship "or acting merely for purposes of public or private charity, science, agriculture, manufactures, or commerce." A weak joint this in the armour; and O'Connell's eye was not slow to detect it.

The Bill was brought in by Goulburn,[1] Plunket and Canning supporting it. The Catholic Association, said Plunket, had three thousand members. Its funds were collected by an army of thirty thousand. It levied contributions on noble, priest, and peasant. "I deny," he continued, "that any portion of the subjects of this realm have a right to give up their suffrages to others; to select others to speak their sentiments, to debate on their grievances, to devise measures for their removal, these persons not being sanctioned by law." Canning was even more vehement. "Self-elected, self-constructed, self-assembled, self-adjourned, acknowledging no superior, tolerating no equal, interfering at all stages with the administration of justice, denouncing publicly before trial individuals against whom it institutes prosecutions, rejudging and condemning those whom the law has acquitted, menacing the free press with punishment, and openly declaring its intention to corrupt that part which it could not intimidate, and, lastly, levying a contribution on the people of Ireland—was this an association which the House could tolerate? Could there exist in this kingdom, without intimate hazard to its peace, an assembly constituted as the House of Commons is, and another assembly invested with a representative character as complete as that of the House of Commons, though not conferred by the same process?"

In vain Brougham pleaded that the petitioners against the Bill might be heard at the bar of the House; and Mackintosh urged that against associations of this kind coercion was powerless—they perished only by the removal of the grievances that called them into being. The Bill was pressed rapidly through all its stages by large majorities, and early in March was read a third time in the House of Lords. Few suspected how entirely it was to fail of its purpose.[2]

But the association had already done a great work.

[1] February 10, 1825.

[2] This Statute was commonly spoken of in the popular speeches and journals of the time as the Algerine Act.

Ireland had been roused by it and calmed. The chronic oscillation between apathy and outrage had ceased, and she rose to the honourable strife of free citizenship. In England the result had not been less. Stubborn indifference to the social state of Ireland was exchanged for anxious inquiry. In 1824 a commission was appointed to investigate the question of Irish education; and the appointment of a Catholic on the commission was a guarantee that one of the sorest grievances of the Catholic clergy—the systematic proselytising carried on in State-supported schools—would be carefully probed. In 1825, while the Suppression Act was still in debate, the object for which many efforts had been made in vain for more than twenty years had been at last attained. Select committees of both Houses had been appointed to consider the state of Ireland, O'Connell himself being summoned to give evidence. These committees, after a protracted inquiry, made no report. But the evidence taken before them remains as an invaluable record of contemporary observation on the Catholic question in all its bearings, on the state of the law of landlord and tenant, on the tenure of the 40s. freeholders, on tithe and church-rate, on local taxation, on the magistracy and the administration of justice, and on a mass of minor matters connected with the internal administration of the country.[1] There is no evidence that the impossibility of dealing adequately with such a mass of details in the overworked and party-ridden Parliament at Westminster was visible to any British statesman of that time. On that point experience was to be the sole teacher.

The Suppression Bill had stimulated the zeal of the Emancipationist party in Parliament. No sooner had it left the Lower for the Upper House, than Sir. F. Burdett brought forward a series of resolutions dealing with the oaths disqualifying Catholics from membership of Parliament or corporations. The first resolution abolished the oaths, disavowing belief in Transubstantiation, and the worship of the Virgin and the saints. The second modified

[1] See "Report of Committee of House of Commons," presented June 3, 1825.

the Oath of Supremacy so far as to admit the pope's supremacy in spiritual matters. The third dealt with the securities so much insisted on in former years, and especially in Plunket's Bill of 1822, for the loyalty of bishops. A royal commission was to be appointed, but instead of consisting in part of laymen and Protestants, as in Plunket's proposals, it was to be selected exclusively from the Catholic episcopate. By this commission the loyalty of any bishop or dean hereafter to be appointed was to be certified. The fourth resolution dealt with intercourse between the priesthood and Rome, the object of so many chimerical fears. All instruments whatsoever coming from Rome, and dealing with other than purely spiritual matters, were to be submitted to the commission. These proposals were submitted by Burdett to O'Connell, who was then in London, and received his approval. The resolutions were carried by a majority of 247 against 234; and a Bill incorporating them was read a second time on April 21, Canning supporting the measure, Peel opposing it. On May 10 it was read a third time in the Commons; but a week later it was thrown out in the Upper House. Some excited words used by the Duke of York a few days before[1] were long remembered. He spoke of the sanctity of the coronation oath; he reminded the House that to the agitation of this question must be ascribed the severe illness and misery which had clouded the existence of his illustrious father, and concluded by asserting that his opposition to the measure was founded on principles imbibed from his earliest youth. By these, so help him God, he would abide to the latest moment of his existence.

O'Connell's absence in London, and his intercourse with British politicians, had roused certain doubts in Ireland as to his consistency. It appears clear that, as the price of emancipation, he would have consented to an elevation of the franchise from 40s. to £5, which would have disqualified the mass of the Irish freeholders.[2] He assented also to a

[1] April 25.

[2] See "O'Connell's Evidence before Committee of 1825" (Commons), pp. 81–84.

proposal[1] to pay the Catholic clergy—a project fatal to their independence of the State, for which in former years he had striven so zealously. For these backslidings he was bitterly denounced by the more zealous of his followers. But the rejection of Burdett's Bill by the Lords rekindled his zeal. On his return to Ireland, his power, never very seriously threatened, soon showed itself unimpaired. His first step was to reorganise the association on lines that should keep clear of the provisions of the Suppression Act. In June a committee was appointed to consider this matter. On July 13, at an aggregate meeting of Catholics held at Charlemont Street Chapel, the report, framed and elaborated by O'Connell himself, was presented and adopted.[2]

The problem was to secure the existence of a body watching over Catholic interests without infringing the new law, which forbade the continuance of any association seeking redress of grievances, or change in laws affecting Church and State, for a longer period than a fortnight. O'Connell explained that the work before them must be divided into two sections. That which the law permitted, the discussion of charity, education, science, commerce, and agriculture, might be undertaken by a new association built on the former model. All that related to the redress of grievances and the presentation of petitions must be undertaken by aggregate meetings. Precise rules were framed for the new association. No one was to be excluded on the ground of religion. No oaths of any sort were to be tendered as a condition of membership. All the objects and procedures forbidden in the Suppression Act were formally disavowed. Its first purpose was described as that of promoting concord among all classes of Irishmen. Further objects aimed at were to encourage liberal education on the basis of Christian charity and fair dealing; to investigate the question of Irish population, with a special view to a religious census; to build Catholic churches and

[1] April 29. The proposal was made by Lord Leveson-Gower, and carried in the House of Commons. O'Connell's letter from London of March 7 (published in *Dublin Evening Post* of March 10) shows him prepared to give way on both points.

[2] The Report is given in full in the *Dublin Evening Post* of July 14, 1825.

to establish cemeteries; to promote science and agriculture; to encourage Irish manufactures and commerce; finally, to defend Catholic interests in the press, and especially to refute the imputations contained in many of the hostile petitions recently presented to Parliament.

With regard to petitions for redress of grievances, the report indicated that these should come from every parish in Ireland. As an aggregate meeting of the Catholics of Ireland could not by the new law last long enough to prepare those petitions, there should henceforth be aggregate meetings for each county, arranging for petitions from the parishes contained in it. The first series of petitions should be for the repeal of the Suppression Act.

Such was the policy of the new association, a policy admirably devised for carrying on the work of the old. While the broad issues were kept more vigorously than ever before the provincial population by public meetings held in the principal towns of every county, the eighth section of the Act gave the central association ample scope for the discussion of every detailed grievance, and for setting forth its bearing on the whole state of the nation. It allowed them to talk of agriculture; and how could agriculture thrive with tenants-at-will liable to arbitrary ejectment, oppressed by tithe-proctors, church rates, and grand jury presentments? Of education; and could education spread when made hateful to the people by the proselytising zeal of the Kildare Place schools, supported by public grants? Of commerce and manufacture; but were these not thwarted by the class conflicts rooted in religious inequality?

O'Connell's scheme was carried out to the letter. The new association met thenceforward weekly like the old, only in far greater numbers. It was the inspiring influence and the central source of information to the county meetings that were now held in constant and rapid succession. These in turn were organised, in the course of the next year, into what were known as provincial meetings. "Each province of Ireland," says Wyse, "was summoned by requisition. The Catholics invited their Protestant

friends; both met on an appointed day in a town chosen in rotation in one or other of the counties of the province. The result was most important. It familiarised two sects with each other; it inspired mutual confidence and mutual respect. The people were incalculably benefited. It was not only a spectacle of great and stirring interest, but a series of impressive political lectures on their grievances and their rights, leaving behind them thoughts which burnt for many months afterwards in the hearts of the peasantry, and gave them a visible and sensible connection with the leading class of their countrymen."[1]

The priests now joined eagerly in the struggle. Maynooth had been sending out every year men widely different from those formerly trained in Roman and Belgian colleges, and coming to their duty in ignorance of all but its professional side; but these were farmers' and peasants' sons, who had seen their mothers evicted, and had felt the pangs of famine. To their patriotic zeal religious fervour was added; for a systematic attempt had been made of late years, and was being pushed now more vigorously, to undermine the orthodoxy of their flocks. Reference has been made to the education question discussed by the commission of 1824. It may be well to recall its main issues.

The hope of solving the problems of Ireland by the simple process of converting her inhabitants to the Protestant faith had not been destroyed even by the scandalous failure of the means taken by the Established Church, under the primacy of Boulter, to attain that object. The State-supported boarding-schools,[2] which in 1787 Howard had found to be dismal abodes of ignorance, neglect, and cruelty, still continued in 1824 to receive Government support. Their grosser evils had in most cases, though not in all, been amended. But they still remained in a state of extreme inefficiency, and how it was that the Irish administration still continued to support them is hard to understand.[3]

[1] Wyse, "History of Catholic Association," vol. i. pp. 226–227.

[2] Commonly known as Charter schools.

[3] See "Report of Education Commission of 1824" for details of these schools as then found. Some instances of shocking cruelty and neglect, and

Another society had been founded by the bishops of the Establishment in 1792, under the name of the Association for Discountenancing Vice. The schools of this society also had received Government aid since 1800. They numbered about nine thousand scholars when visited by the Commission of 1824, and of these half were Catholics.[1]

The entire failure of these efforts to deal with the problem of national education led to a third attempt. The commissioners of education, in their annual report of 1812, recommended that schools should be established in which no attempt should be made "to influence or disturb peculiar religious tenets of any sort or description of Christians." For this purpose they advise that State aid should be given to a society that had been founded in the previous year, for the purpose of "promoting the education of the poor in Ireland." In these schools it was arranged that the Bible should be read without note or comment. Government aid was freely given,[2] and the schools known commonly as those of Kildare Place rapidly increased. In 1824 there were nearly fifteen hundred schools, with one hundred thousand scholars. By this time, however, the society had departed from its original principles of non-sectarianism. They gave countenance and even pecuniary aid to the clerical society founded in 1792, and to another society called the Hibernian, which had arisen in 1806 for the avowed purposes of conversion. And, independently of this, the reading of the Bible without comment was in flagrant contradiction to the discipline of the Catholic

many more of utter inefficiency, are given. One inspector reports them as "well fed and physically comfortable, but intellectually far inferior to the ragged children of the day-schools." Another suggests "that it would be well if the schoolmaster were compelled to take part in the tuition," instead of occupying himself with the cultivation of the school farm. From Clonmel and Stradbally the accounts were even worse. The admissions at this time into the Charter schools were about two hundred yearly. In the ninety years since their institution, they had received rather more than a million in State aid.

[1] The grant in twenty-three years was £77,975. The number of schools (day-schools) was 119.

[2] The first grant was of £7000 in 1814. The offices of the society were moved to Kildare Place in 1817.

Church. The Irish people, throughout their times of misery, have shown singular avidity and aptitude for instruction. In 1812, we learn, from the report of the commissioners for that year, that two hundred thousand children attended the common "pay-schools," set up by private adventure and unsupported by a farthing of State money. In 1826 that number had doubled.[1] The instruction given in these schools was admitted by all parties to be rude and inadequate, but at least it was free from all proselytising taints. The Kildare Place schools threatened to supplant it by better books and more skilled teachers, provided in great part by State funds. A religious crusade was started by English and Ulster Protestants for the conversion of the rising generation. The complicity of many of the Kildare Place schools with the Hibernian Society became palpable,

[1] See report of Committee of House of Commons of 1828, to whom this report of the special commission of 1825, and previous annual reports of the official commissioners on State-supported schools, had been referred for consideration. The distribution of children in 1826 stood thus:

In common pay-schools	394,732
In purely Roman Catholic schools	46,119
In various establishments of private charity . . .	84,205
In schools maintained wholly or partly at public expense	55,246

The Kildare Place schools, which in 1824 had 100,000 scholars, had lost half their numbers in the agitation against them which the Catholic Association indirectly stimulated. The pay schools, in which Catholic and Protestant children met freely together, did not profess to give any religious teaching, leaving that entirely to the clergy of each denomination. They had, therefore, solved the religious difficulty by the simple plan of leaving it alone. Practically this spontaneous solution was the basis of the plan recommended by the committee of 1828, and afterwards embodied in the Act of 1831, viz. an education board in which the three denominations, Catholics, Presbyterians, Episcopalians, were represented, and by which purely secular instruction should be given, leaving religious instruction to be given at fixed times by each Church authority to its own children. This scheme received the full concurrence of the Catholic episcopate ("Report of Commission of 1825," p. 90). The instruction given in the pay-schools, though it steered clear of the shoals of controversy, indicated more vitality than discipline, and certainly stood in need of some pruning. Among the reading-books found in these schools by the commissioners were Rousseau's "Heloise," "Moll Flanders," "Tristram Shandy," "History of Philander Flashaway," and "The Life of Redmond O'Hanlon, the Robber." In a school in county Sligo, the New Testament, "The Forty Thieves," "The Pleasant Art of Money-catching," and the Mutiny Act were being read aloud by four children simultaneously (see p. 43 of Report of 1825).

and the priesthood took alarm. The rise of the Catholic Association gave them the machinery they needed for ventilating their grievance; and their professional instincts roused their human sympathies, and overcame their unwillingness to join a political struggle. The union of the priests and people, for which the memories left by the penal legislation of the eighteenth century had prepared the way, reached maturity; and a social force was created the like of which had not been since the Middle Ages.

O'Connell was well rewarded for his firmness in the dark days of the veto, when even his best friends thought he had strained resistance too far. His rule over Catholic Ireland was as undisputed as that of any king. But he never forgot that he was an Irishman first, and only then a Catholic. The inquitous toleration of the Orange Society by a Government that left it free to disobey their own law, which they rigorously enforced, and which O'Connell helped them to enforce, against Ribbonmen, he unceasingly denounced. But he never confounded Protestants with Orangemen. He bade Protestants welcome to his association; he rejoiced at every sign of their sympathy in the struggle for civic justice, and his joy was profoundly sincere. He was a statesman moulding a nation, not a bigot preaching or persecuting a creed. Let us look at him for a moment with the eyes of a shrewd foreign observer, travelling through Ireland in those days, who saw him at work.

"The association holds its meetings in an oblong hall surrounded with benches, and arranged nearly in the same manner as the House of Commons. The first time I entered it I saw on his legs a man of about fifty years of age, who, with his hand in his bosom, seemed throwing out his opinion in a negligent manner to about three hundred persons, who were listening with the greatest attention around him. This man was O'Connell. In his person he is tall. His appearance is imposing; his countenance full of frankness and keenness, though somewhat bordering on coarseness; and, when he speaks, his physiognomy, as changeable as his imagination, expresses in two minutes

twenty different passions. There is no sort of study either in his gesture or language. With him you feel that thoughts gradually spring upward and develop of themselves; they seem to take, as he proceeds, if I may so say, the clothing of a tangible and visible form, and words, gesture, accent, all are produced at once, and by a single and simple effort of the will. If he threatens, his entire figure seems ready to follow the defiance which he hurls against the power of England; if he indulges in a trait of humour, before it is yet upon his lips, an expansive gaiety already radiates from all his features. I know of no living orator who communicates so thoroughly to his audience the idea of the most profound and absolute conviction. . . . There is not in the ideas of O'Connell so much order as abundance; one would imagine that in their exertion to escape, and the disorder produced by this internal combat, he had not the power of mastering them. They are young recruits, and ill disciplined; but what courage, what vigour, what impetuosity! Known personally to the Irish peasantry, and living with them a great portion of the year, he has something of their manners, their language, even their accent. You should see him, with his cravat loose and waistcoat unbuttoned, in a chapel in Munster. . . . He does not pretend to know anything beyond Ireland. He lends an eloquent voice to the sentiments, the passions, even the prejudices, of six millions of men. Hence his extreme popularity; hence also his numerous contradictions and inconsistencies. But his contradictions are natural, his inconsistencies patriotic. . . . O'Connell is of the people. He is a glass in which Ireland may see herself completely reflected, or rather he is Ireland himself. He has been called an inspired peasant. It may be so; but that peasant, if he wished it, might have a million more at his back."[1]

[1] From Duvergier's letters on the state of Ireland, published in Paris 1826. I quote from the translation given in the appendix to Wyse, not having been able to find the original of this very remarkable pamphlet in the British Museum, or elsewhere. Duvergier's account of the other leaders of the movement, Sheil, Lawless, Æneas M'Donnell, and others, including Wyse, its historian, is very interesting. O'Connell's political leanings impressed him as distinctly royalist, rather than republican. That is to say, he was loyal to

The Parliamentary events of 1826 were unimportant. Catholic petitions were presented, but no legislation was proposed. The Parliament had lived for six years, and in May it was dissolved. In England, the elections turned partly upon the Catholic question, but this question shared the public interest with the agitation for free trade in corn and for Chancery reform. There were cross-currents then, as since, upon Irish matters. The zeal of the Dissenters for civic justice, which, since the times of the Commonwealth, has been the principal propelling force of English progress, was too often slackened when Ireland was in view, by the disastrous narrowness of their doctrine. They were protected by annual Bills of Indemnity from the disabilities of the Test Acts. But the Test Acts remained; and Canning, the friend of the Catholics, had persistently opposed their repeal.

In Ireland, the issues of the elections were more simple, and the result more momentous. It has been already stated that the bestowal of the franchise on Catholics by the Irish Parliament in 1793 had established in Ireland a near approach to household suffrage. The right to vote was given by a freehold of 40s., this consisting, in the great majority of cases, of a lease for life. The great landholders had vied with each other in the creation of these freeholds. On election days these tenants were brought to the poll by the driver of the estate, like so much live stock conveyed to a

the Irish Crown, aiming at independence, but not at separation. Duvergier's judgment of the association was discriminating. He was not blind to its faults: "open to every one, recruited from the bosom of a population for centuries in bondage, it cannot but contain within itself much ignorance, fickleness, and dishonesty. . . . To all these defects I am fully sensible, and yet I think that the association is decidedly of advantage to the country. It rallies the friends of religious freedom; it keeps up in the people a due feeling of their rights; forces Catholicity to proclaim the principles of toleration; fatigues and alarms England; and rouses the lower classes from that degrading apathy from which they have risen but once or twice in a century to rush into acts of the most atrocious vengeance. In the month of November, the Catholic Association realised per day £50 sterling; and already more than one Orange landlord, who was prepared to eject *en masse* his unfortunate tenantry, has been obliged to draw back in alarm before it. In a word, it is a species of new parliament which really represents and is the organ of seven millions of men."

market. The oath as to the value of the freehold was tendered with the same prompt indifference as the vote. Oath and vote were part payment of the rent. A Beresford, a Foster, a Cavendish, would have been as much surprised at their freeholders voting against them as if their horses had exercised choice in whose man's carts they drew. It was a thing hitherto undreamt of.

But it was to be heard of now. The Catholic Association had raised the Irish peasantry from the stage of lawless insurrection to the level of citizens resolute for justice. The time had come when the freeholders were to tolerate the dictation of their landlords no longer. And the county chosen for the first scene of the revolt was one in which the sway of landlords had been most complete and concentrated —the county of Waterford.

Over the greater part of this county the Beresfords had ruled for half a century without dispute, their power being imperfectly balanced by the House of Cavendish. In politics their influence had been anti-national. A Beresford had driven away Lord Fitzwilliam in 1795. Throughout the struggle for emancipation the family had been found on the side of strict Protestant Ascendency. Socially they were not unpopular, and in their own neighbourhood their omnipotence was taken for granted. But it happened that in 1825 the Marquess of Waterford had refused to call a meeting on the burning question of the time. The meeting was held, for what he refused had been done in spite of him by twelve Protestant landowners. It was decided to oppose his nominee and brother, Lord George Beresford, after the dissolution; which, though expected in the autumn of 1825, was actually deferred till the summer of the following year.

The delay had this result, that the whole winter and spring were occupied in preparations for the contest. A committee was formed in every barony of the county; each had its local agents, with a precise registry accounting for every voter in every parish. On Sunday, members were deputed to address the villagers from the altar steps. They read Lord G. Beresford's election addresses, and then they read the Bribery Oath. They asked how Catholics could

take that oath and the money of the Beresfords at the same time. Who were the Beresfords? and what was their history from their first coming to the time of the Rebellion, and from the Rebellion onwards? When had they spared an opportunity for defeating the Catholic claims for justice? In resisting them a blow would be struck at the heart of the Protestant Ascendency. These speeches were made, and the resolutions following them were proposed and seconded, not by priests only, but by squires, yeomen, workmen, and peasants. There was no spiritual exorcising in all this; no machinery of another world called into play.[1] The chapel had become purely and simply the village club, holding meetings in a cause none the less sacred because it was human. Those who talked about priestcraft and abuse of spiritual power forgot that spiritual power unsupported by the secular arm has no permanent vitality but such as springs from the opinion which creates it.

Lord Beresford's addresses before the election form a singular exhibition of good-humoured insolence, as of a man half angry with a horse suddenly grown restive. This was no ordinary contest, he said. A few itinerant orators emanating from a scarcely loyal association, aided by a portion of the Roman Catholic clergy subservient to its views, claim a right to impose a representative on the legitimate electors of the county; and temporal power is usurped by a spiritual body whose interference in politics should ever excite the jealousy not only of a Protestant,

[1] "It is sufficient answer," says Mr. Wyse, "to such imputations to say that six several petitions, complaining of this abuse, have been successively presented to Parliament, and witnesses procured by means the most discreditable to support their allegations, but that five of these petitions have been rejected after a deliberate examination by the legislature, and one withdrawn by the petitioners themselves. . . . The arguments used by the priests had no connection with their spiritual power. They were based on the principles of general morality, and applicable to the rights and duties of all classes of citizens. They neither fulminated excommunications nor withheld the Sacraments, as is averred; but they spoke of the crime of perjury, of the oath of the freeholder at the hustings, of the duty of the elector, of the baseness of bribery. . . . The eloquence they used was in the people's hearts, guiding the people the way they had determined to go. They were everything; had they opposed them, they would unquestionably have been nothing" (Wyse, vol. i. pp. 286–289).

but of a Catholic, people. The Sabbath was profaned and the altar polluted for the almost avowed purpose of excluding the rank, wealth, and intelligence of the county from a share in its representation; of defrauding the landlord of his influence, and the tenant of his freedom; and of erecting a spiritual despotism on the ruins of civil and religious liberty. In this strain the address went on.[1] When a priesthood is national and popular, tyranny, whether feudal or plutocratic, has always attacked it in the name of freedom.

The Cavendishes were not less shocked at this uprising of the serfs than their political rivals. The Duke of Devonshire issued a manifesto before the election, in which "he refused, as a peer, to interfere with the votes of his £50 freeholders, but expected, of course, that his 40s. freeholders would abstain from giving their votes for either of the rival candidates."[2] But such mandates had lost their power. On the day before the nomination, a vast procession, miles in length, barony after barony each bearing its own banner, streamed into Waterford in military array and unbroken tranquillity. Four thousand soldiers had been assembled; but they helped neither to keep order nor to disturb it. The people cheered them, shook hands with them, and passed on. It had been resolved that there should be no rioting. The butchers of Waterford formed themselves into a guild to patrol the town and to keep order. A vow had been taken of total abstinence from whisky so long as the election lasted. The vow was rigorously kept.

At the nomination Lord G. Beresford's proposer enlarged on the cruelty of prevailing on the tenants to set their landlords at defiance. He hoped the tenants would see their true interest and follow the dictates of their conscience. With a loud laugh, the crowd below hurled back the words, "Ay, conscience is all we want; let us follow but that." The candidate himself assured them he went into Parlia-

[1] See address in *Dublin Evening Post* of June 10, 1826.

[2] Wyse, vol i. p. 272. Wyse took part in this election, and his account of it is extremely interesting.

ment unfettered; he wished the Catholics would meet Protestants half-way; he professed not to know quite clearly what emancipation meant. When the popular candidate, Villiers Stuart, had been nominated and had spoken, an old blacksmith of the town, Carey by name, well known and trusted by his fellows, proposed Daniel O'Connell as a fit representative. A thrill of delighted excitement struck through the crowd. The Clare election was not in O'Connell's mind as yet, and all he wanted was an opportunity of speaking. For the next two hours he put forth his full force. The noble lord had told them he would go into Parliament unpledged against emancipation; and that he did not know what it meant. Not pledged; not know what it meant? when he had voted against it steadily for fifteen years. He would tell him what it meant. Emancipation meant equality between Catholic and Protestant. "Sacred God! where is the difference between us that I should not be on an equality with you, here where my children were born, here where my bones shall rest?" After a speech of extraordinary eloquence, he ended amidst general mirth by saying that for the present, in the cause of general tranquillity, he declined the honour of representing them.

O'Connell's eloquence this time was hardly needed. The voters of Kilmacthomas and Portlaw, villages belonging to the Beresfords, had asked some days before to be allowed to come to the poll first, for they had been the first to declare against them. In a few days Lord Beresford gave up the contest, hopelessly defeated by the votes of his brother's freeholders.

Such was the Waterford election of 1826; even more important in its consequences than the Clare election, better known in England, two years afterwards. The example given by Waterford was followed by Monaghan, Louth, and other counties. From that moment it was certain that the battle of emancipation was won. It was not less certain that the 40s. freeholders were doomed.

Vengeance was taken by many of the landlords at once. But from the worst effects of this they were protected by

the New Rent which O'Connell instituted for the purpose of protecting them. Contributions came not from Ireland alone. The stream of emigration to the American continent had begun already, and transatlantic Ireland held her meetings, and sent her proofs of sympathy.[1]

Parliament assembled in November. Of Ireland the king's speech said not a word. So it was, said Brougham, commenting in the debate on the address on so strange a silence, that, just before the outbreak of the American war, when all eyes were pointed to America, when America was the word which hung upon the quivering lip of every man who thought or felt at all, neither mention nor allusion to it was made in the speech from the throne.

On March 5, 1827, Sir Francis Burdett moved "that this House is deeply impressed with the necessity of taking into immediate consideration the laws inflicting penalties on his Majesty's Roman Catholic subjects, with the view of removing them."

In opposition strong statements were made of the spiritual intimidation exercised by priests over their flocks, by refusing the sacraments to men who voted against the popular candidate. "The priests," said Dawson, "had succeeded in bursting asunder the ties which had bound the landlord and the tenant together. They had eradicated all kindness from the former, and all gratitude from the latter. The elective franchise in Ireland was a right conferred by the landlord on the tenant, who for the time was a mere trustee of it for him."

[1] The "Report of the Commons Committee of 1825" contains much information about emigration (see pp. 1–27). In 1824 the Irish emigration to Canada was 45,000; of these many found their way to the States. The first important meeting to express American sympathy with Ireland was held in New York in 1825, for the purpose, as stated in the resolution voted, of giving efficient expression to their sympathy for the oppressed, and their indignation at the conduct of the oppressors. An association was formed on the same lines as those of the parent association in Ireland. The organisation spread rapidly; enthusiastic meetings of the same kind were held in Washington, Augusta, Boston, etc., and "rent" was collected vigorously. General Jackson, at that time president, is stated to have promised the first thousand dollars to the emancipation fund. He was of Irish origin, a Protestant. (See Wyse, vol. i. pp. 308–313.)

Peel, too, spoke with more warmth than he was wont. "I confess," he said, "that I have a distrust of the Roman Catholics. If on a man's faith there be founded a scheme of political influence, then we have a right to inquire into that scheme; and I cannot contemplate the doctrines of confession and absolution and indulgence without having strong suspicion that these doctrines are maintained for the purpose of confirming the authority which man exercises over man. . . . What is it to me whether that authority be called spiritual or otherwise, if practically it influences man in his conduct to society? The Catholic priests have been called peacemakers, but they are members of the Catholic Association; they have never uttered a syllable of reproof of Sheil or O'Connell." He concluded by saying that "to admit Catholics within the walls of Parliament would be dangerous to the constitution, would lead to interference in every election between landlord and tenant, and would increase discord and dissension." Peel did not or would not see that the priests and the orators were powerful simply because they spoke the feelings and opinions of the mass of the population. In the battle between opinion and law, had law, so far, shown itself the stronger?

On the other side, it was eloquently urged by Plunket that, when law had mixed politics and religion together, the priesthood of Ireland were not to be condemned for calling attention to the principles of those who were likely to represent them. Had they not the right to say to their parishioners, "Here is a man wishing to go into Parliament, who will there vituperate you, who will describe you as idolaters, and who will oppose the attainment of your just rights?" Canning closed the debate. The motion was that the state of Ireland and the Catholics demanded consideration. If such a motion were negatived, it would mean that the state of Ireland was unworthy of consideration: and he would rather imagine than express the consequences which he feared might ensue. The motion was lost by 276 votes against 272.

On Catholic Emancipation Canning spoke no more. A few weeks after this debate Lord Liverpool resigned through

illness, and Canning formed a ministry, with Hutchinson and Lord Goderich; Peel and Wellington refusing to join him. In August Canning died. Lord Goderich held together a coalition ministry for a few months; but in January 1828 Wellington became prime minister, with Peel as home secretary and leader of the House of Commons. It seemed an anti-Irish ministry. But it was significant that the great strategist and his colleague had not restored the chancellorship to Eldon, and had sent Lord Anglesey to Dublin. Two men who could measure the force of wind and tide were at the helm.

In May, Burdett renewed his motion of the year before. Peel, as before, opposed it. But it was carried, after three days' debate, by a majority of twelve.[1] A conference with the Lords was agreed on. This was held. But in the debate that took place on June 9, Lord Lansdowne's motion in favour of the resolution was rejected by 181 to 137. Throughout the debates both Wellington and Peel had shown a firm front. Only to those who could listen or read narrowly were any signs of yielding visible. The combination between laity and clergy, said the duke, had been going on for thirty-five years, and growing more dangerous; the aristocracy were rendered powerless; political authority was transferred to the people, who were the priests' creatures. Discussion would produce no practical result. He referred to the quiet way in which the elective franchise of 1793 had been conceded. "If the public mind was now suffered to be thus tranquil, if the agitators of Ireland would only leave the public mind at rest, the people would become more satisfied, and I certainly think it would then be possible to do something."[2] The duke, then as always, spoke with the simple sincerity of a strong man. But the interval of peace he wished for was not to be given.

[1] "Parliamentary Debates," May 8, 1828. The division was 272 against 260.

[2] "Parliamentary Debates," vol. xix. pp. 1287–1291 (June 10). Wellington had seen as far back as 1825 that things could not remain as they were. See "Despatches," new series, vol. ii. p. 602, where he acknowledges that the laws imposing Roman Catholic disabilities have failed. "The moment of their repeal is probably approaching" (Memorandum of December 1825).

The Parliament that granted the elective franchise was not a British Parliament, but Irish; it needed now a loud voice to reach across the Channel. A month after these words were spoken, O'Connell was drawn in triumph through the streets of Ennis as the elected member for Clare.

The vacancy in that county had been caused by the appointment of Vesey Fitzgerald, who had represented it for more than thirty years, to the presidency of the Board of Trade. It was determined by the Association that his re-election should be opposed. He was a popular man belonging to an old family. His father had opposed the Union; he himself had favoured the Catholic claims. It was not easy to find an opponent. Two active members of the association, Steele (a Protestant) and O'Gorman Mahon, were sent down to sound the constituency. They found it resolute and enthusiastic for opposition. But it was late in June, and the election began with July. They were beginning to despair of a candidate, when they were astounded by receiving, within a week of the election, copies of O'Connell's address to the electors.[1] It began by speaking of the oath required of members of Parliament that the Sacrifice of the Mass and the invocation of the Virgin and Saints as practised in the Church of Rome were impious and idolatrous. With that oath he could not sully his soul. But return him to Parliament, and that blasphemous declaration would be abolished for ever. After a brief allusion to the vacillations of his rival, he pledged himself, if returned, to vote for revision of the grand jury laws, repeal of the Voters Bill, of the Subletting Bill, and, finally, of the Act of Union.

The incidents of the election were similar to those of Waterford two years before. O'Connell's journey from Limerick to Ennis was like a royal progress. So obstructed was it by the vast crowds that went out miles from the town to meet him that he did not enter it till two o'clock in the

[1] For details of the election, see *Dublin Evening Post*, from June 25 to July 6; also Steele's account of the election given by Wyse, vol. i. pp. 373–380.

morning of the nomination day. The election lasted from Monday, June 30, till the Saturday following. The country voters, with their friends and families, camped out in the streets to the number, it is said, of thirty thousand, though heavy and constant rain fell. Milk, potatoes, and oatmeal were distributed by the priests of each parish. From spirituous liquors there was total abstinence; nor was the peace once broken throughout the week.

O'Connell had prophesied, before he left Dublin, that there would be no outrage, no tendency to disturbance. "We will make a lane for the voters of Vesey Fitzgerald," he said, "broad enough to let up ten men abreast if he can get ten to vote for him." There were more than ten, for the battle of temporal and spiritual power was not so easily decided. But the prophecy was fulfilled; strict order was kept.[1] At the close of the first day the numbers were nearly even. But on the day following the issue was clear; and on Saturday the sheriff, after some hesitation as to the law, which his assessor dissipated, declared O'Connell to have been elected by 2057 votes against 982 given to his opponent.[2] His exit from the town was even more triumphal than his entrance. Four thousand troops with artillery had been brought into the town, whom the procession, as they passed, saluted with friendly cheers. Five miles from Limerick a vast cavalcade came out to meet him; and as the stone was reached on which the broken treaty had been signed, "the cheer of fifty thousand voices rang through the air for the entrance of the first Catholic elected since its violation."[3]

[1] One incident of the election may be noted. A priest, at the close of the poll on Wednesday, told the people of a voter who had yielded to fear and voted against his conscience. An execration was bursting forth. "Silence," said the priest; "kneel down and pray for his soul. This man died last night.' On their knees the multitude fell, and followed the priest's prayer. Nevertheless, the charge of refusing the sacraments to those who voted against their cause was publicly repudiated by the clergy in the most formal way both before and after the election.

[2] The law, as the assessor pointed out, said nothing about excluding Catholics; it simply required members, when taking their seats, to take certain oaths. It was for the House of Commons to see that this was done.

[3] Correspondent of *Dublin Evening Post*, July 8, 1828.

The Clare election produced a profound impression on that large part of the British population who had not followed the course of Irish events. Wellington saw that the moment for action had come. Within three weeks of the election he addressed to the king a memorandum explaining clearly that repressive measures were no longer of any avail, and that emancipation must be frankly considered, though even that might be insufficient. The king replied by a suggestion that Lord Anglesey should be recalled. His reduction to reason was not completed till within a week of the date when the Emancipation Bill was read a first time in Parliament.[1]

Meantime serious danger was threatening from the north. The Orangemen of Ulster had learnt, during the last two years, how the suppression law of 1825 could be evaded. Brunswick clubs had been formed, preserving the secret sign of Orangemen, and resembling them in everything except the oath. And against Orangemen the Arms Act had not been enforced. How far these fanatical societies were from representing the mass of Protestant feeling in Ireland was well proved by the meeting in the Rotunda of January 20, 1829, and by the address of 1500[2] Protestant landowners in favour of emancipation; but the symptom was, nevertheless, one of grave danger. Lawless, one of O'Connell's lieutenants, with much of his power to rouse, none to control, led into Ulster a multitude, so it was said, though with absurd exaggeration, of 140,000 peasants, some of them not wholly without arms. He found himself confronted at Ballybay by an armed body of Orangemen, Bloodshed was imminent, and was only averted by his own prompt flight from the scene. Ribbon societies were stirred to new life by the unimpeded growth of Brunswick clubs. And the Catholic Association, though it strove unremittingly to suppress them, was not always successful.[3] More troops

[1] See "Wellington's Despatches," vol. iv. new series. The memorandum is dated August 1, 1828.

[2] See the list in Wyse's "History,' vol. ii. Appendix, pp. ccxxvi *et seq.* The address to the king adopted at the meeting is also given, pp. cclxii–cclxiii.

[3] "'When will he call us out?' was more than once heard in the streets of Clonmel during the great provincial meeting of last August (1828); an

were poured into the country, and actual conflict was avoided.

It largely contributed to the public safety that the viceroy during that year was Lord Anglesey, a man whose sympathies with the Catholic cause were well known. He was well aware that, if civil war was to be avoided, the question must be settled soon. "If," he wrote to Peel, a month after the Clare election, "I should fortunately be enabled, by the advice and warning I give, to keep this country in a quiet state a little while longer, I most seriously conjure you to signify an intention of taking the state of Ireland into consideration in the first days of the next session of Parliament." [1]

In September he again urged the subject on the Duke of Wellington. Wellington replied that the first step was to reconcile the king's mind to any arrangement that might be made. At present nothing could be done but preserve the peace. These communications were, of course, secret. But in December the world was astonished by the appearance of a remarkable correspondence, consisting first of the duke's reply to a letter sent to him by Dr. Curtis, the Catholic Archbishop of Dublin, in which he reiterated his view that the question should be buried for a time in oblivion, and that nothing could be done till Ireland was tranquil; secondly, of comments upon this letter by Lord Anglesey, to whom Dr. Curtis had shown it. Lord Anglesey said he differed from the duke's view that an attempt should be made to bury the question in oblivion; this was neither

frequently answered with the finger on the mouth, and a significant smile and wink from the bystanders" (Wyse, vol. i. p. 413). At the time of this meeting in Clonmel, Lawless was at Ballybay.

[1] See ("Peel's Memoirs," part i.) correspondence of Peel with Anglesey, during August, September, and October 1828. The danger, according to Anglesey, lay not in processions of unarmed crowds from the south and west, but in the belligerent attitude of well-armed Orangemen in the north. On October 2 he writes (p. 234), "I really think there is no danger of formidable disturbance in the south. . . . If the leaders of the Brunswickers could be prevailed upon to set their faces against the organisation and assembly of Protestants, if they would trust to the power of the Government, to the evidence of the king's ministers, and to the judgment of Parliament, instead of attempting to dictate to all, then this unhappy country might hope for comparative rest."

possible nor, if possible, desirable. He advised, on the contrary, that the measure should not be for a moment lost sight of; that by every constitutional and peaceful method the cause should be forwarded.[1] But before this correspondence was published Lord Anglesey had received his letters of recall. On January 18 he left Ireland, amidst signs of regret once paralleled before and once since. Two days afterwards a meeting was held in the Rotunda, at which it was seen how large a mass of Protestant feeling joined with Catholic in urging a reasonable compromise. The meeting resulted in the formation of a society in which Catholic and Protestant were associated on equal terms.[2]

When Parliament met on February 6, 1829, the king's speech made it clear that a settlement had been arranged. The speech regretted the continuance in Ireland of an association dangerous to the public peace, and advised Parliament to consider the removal of civil disabilities of Catholics consistently with the maintenance of establishments in Church or State. These were institutions which must ever be held sacred in this Protestant kingdom.

What the settlement was to be was soon seen. On February 10 Peel brought in a Bill for the suppression of the Catholic Association; and on March 5 he proposed a resolution that the House should form into committee to consider the laws imposing disabilities on Catholics. His proposals were, first, that the oath required of members of Parliament should be so altered that Catholics should be capable of taking it; secondly, the disfranchisement of the 40s. freeholders. The freehold conferring the franchise must be of the value of £10. It would not be conferred,

[1] Lord Anglesey's letter was dated December 23. But it was not published till two or three days after the letter of recall, dated December 28, had been received (see Wyse, vol. ii. p. 27; and Appendix, pp. ccxiii–ccxix. See also "House of Lords Debates," May 4, 1829). Long before this, Peel and Wellington had been dissatisfied with Lord Anglesey's overt sympathies with the popular cause (see "Wellington's Despatches," 2nd series, vol. iv.).

[2] This society, called "Friends of Civil and Religious Freedom," was instituted by Mr. Wyse. The events which followed rendered its continuance unnecessary (see Wyse, vol. ii. p. 57).

as hitherto, by a lease for life. And it must be proved by registration before an assistant-barrister.[1]

In his various speeches on the subject Peel defined his attitude. The time had come, he said, for concession. They must not be afraid of being afraid. The state of Ireland could not be looked on without fear; to affect not to fear it would be to affect insensibility to the welfare of the country.[2] "I have for years," he said, "attempted to maintain the exclusion of the Roman Catholics. I resign the struggle because I think it can no longer be advantageously maintained. Can we rely on coercion? We have tried it for three years out of four ever since the Union. In 1825 we passed a law to suppress the Catholic Association. That law has been futile. Through the law now before us Lord Eldon says he can drive a donkey-cart. What is the inference? That there exists a spirit too subtle for compression; a bond of union which penal statutes cannot dissolve. . . . We cannot replace the Roman Catholics in the position in which we found them when the relaxation of penal laws began. We have given them the opportunity of acquiring education, wealth, and power. We have removed with our own hands the seal from the vessel in which a mighty spirit was enclosed; but, like the genius in the fable, it will not return to its narrow confines, and enable us to cast it forth to the obscurity from which we evoked it."

Much to the same purpose, though briefer, were Wellington's words in the Upper House.[3] Resistance, he said, meant civil war. The state of things in Ireland could not be touched by force. The leaders of the disaffected knew well that they were not strong enough to wrestle with the king's Government, and, being sensible and able men, and well aware of the materials on which they worked, the state of things might continue for years without an opportunity

[1] These proposals were embodied in two Bills. The only offices from which Catholics would now remain excluded would be tnose of Regent, Viceroy, Lord Chancellor of England, and of Ireland, and endowments connected with Church patronage or universities.

[2] Speech, February 5, 1829.

[3] "Parliamentary Debates," 1829, April 2.

of putting it down. And even had he the means of putting it down, he would hesitate. He had seen more of war than most members of the House, and much of it civil war; and if he could avoid by any sacrifice whatever even a month of civil war in the country to which he was attached, he would yield his life in order to do it.

The Bill, embodying Peel's resolutions, was read for the first time on March 10. After two days' debate, the second reading was carried on March 18, by 353 to 180; and the third reading on March 30, by 320 to 142. In the Lords, the majority for the Bill on the second reading was 217 against 111; and the Bill was read a third time on April 10. On May 15 O'Connell presented himself in the House, claiming to take the oath newly enacted. A debate took place, and on the 18th he was heard at the bar. It was decided by 190 votes against 116 that, having been elected before the change in the law, he must take the former oath. On his refusal to do this, a new writ was issued, and he was elected by the new constituency in July. Extreme irritation, which might well have been spared,[1] was caused in Ireland by this delay.

The battle was over; what were the losses and the gains? That a few Catholic landowners should sit in Westminster was not a result so important as to justify the enormous expenditure of energy by which it had been attained. That Irish Catholics could now be members of corporations was far more to the purpose. It was well, too, that a Catholic could now be a king's counsel and a judge, unless, indeed, the prizes of the legal profession were to deaden civic zeal for the mass of social and agrarian reform that yet remained unaccomplished. It was a still greater

[1] Peel ("Memoirs," part. i. p. 308) explains the course taken. "It was not from paltry jealousy or personal pique," he says. The difficulties were very great. "The king was hostile, the Church was hostile, a majority, probably, of the people of Great Britain was hostile to concession." As late as March 4 ministers were summoned to Windsor, and told by the king that he could not possibly consent to an alteration of the Oath of Supremacy. They tendered their resignations and retired. Late that evening the king sent a message to Wellington, requesting them to withdraw their resignations and proceed with the Bill (see "Peel's Memoirs," part i. pp. 282 *et seq.*).

thing that O'Connell's persistent struggle to avoid the interference of Government in episcopal appointments had been successful, and that the priesthood were not to be emasculated by a *regium donum*.

Against these gains, real, though exaggerated, were to be set the disfranchisement of the 40s. freeholders and the suppression of the Catholic Association; securities, as these measures were called by the Government of the day, though the light that after years have thrown on the facts may lead us to doubt whether they were not rather guarantees of insecurity.

To Englishmen the disfranchisement seemed a simple and natural course. Of giving agricultural labourers a vote in England or in Scotland no practical reformer dreamed. Why, then, should it be given in Ireland to men equally poor and ignorant? They did not see that when, of two nations utterly opposed in almost every circumstance of economic and social structure, one was to be governed from the metropolis of the other, the first condition of success was that the opinions and feelings of the distant nation should be accurately represented. The mass of the Irish people consisted of tillers of the soil, holding a peculiar relation both to their priests and to their landlords. The body of small freeholders, forming about a fifth part of the adult manhood of the nation,[1] represented this mass without overwhelming other classes and interests. The abuses that had crept into the mode of registering the claim to vote were susceptible of an easy remedy. To annihilate the political existence of this large section of the nation was deliberately to blind the eyes of the governors of Ireland as to the thoughts and desires of those they ruled.

Of the suppression of the Association nearly the same may be said. It had acted for five years the part of a local parliament, strictly subordinate to the official Parliament, in London, for whom it performed the invaluable service of telling what the large majority of the Irish nation thought and wanted. It was not, like the Orange society or the

[1] Valuable information as to the numbers of 40s. freeholders will be found in Wyse's "History," vol. ii. Appendix, pp. cxi-cxix.

Brunswick clubs, knit together by secret oaths or secret signs; nor was it limited, like them, to a religious sect. It willingly received Protestants as well as Catholics; it held its meetings in the face of day.

Outrage had ceased with its establishment, and revived after its destruction. Irritation at the mass of grievances that remained unredressed took shape in secret societies pledged to violence, and Government was reduced to depend for its information on the anonymous press or on the irresponsible clerks of the Castle.

In suppressing the Association and disfranchising the freeholders, England burnt two of the volumes offered by the Irish Sybil. The full price would be asked for what remained.

PART IV

FROM THE EMANCIPATION OF THE CATHOLICS TO THE INSURRECTIONARY MOVEMENT OF 1848

By LORD FITZMAURICE and JAMES R. THURSFIELD

I [1]

REFORM AND ITS CONSEQUENCES

No sooner was the Catholic Relief Bill passed, than O'Connell presented himself at the bar of the House of Commons, and claimed to be allowed to take his seat for the county of Clare. His claim was, of course, disallowed, the Act having been purposely drawn so as to exclude him. He went back to Ireland to seek re-election, and at once raised the cry of Repeal. He was again returned for Clare, this time without a contest, though the constituency was totally changed in character by the disfranchisement of the 40s. freeholders.

George IV. died in June 1830. Before the close of that year the long reign of the Tory party came to an end, and the Government of Lord Grey was formed. Ireland might now have looked to see Catholic Emancipation made a reality. But the poison of 1829 had begun to work. O'Connell had already raised the cry of Repeal, and had brought himself into collision with the Irish Government. His violent language had provoked a challenge from Sir

[1] The writers desire to express their grateful acknowledgments to Earl Spencer for the permission accorded to them of examining the unpublished correspondence of Lord Althorp.

Henry Hardinge, the chief secretary, and his attempts to revive the Catholic Association under a new title were easily defeated by an Executive armed with the powers of the Suppression Act. But in 1830 he was not irreconcilable, and there were many reasons why an attempt should have been made to conciliate him. Ireland was miserable as usual, and its misery was, also as usual, the source of crime. The cry of Repeal, raised by O'Connell, found its support not only in the national misery, but in the French revolution of 1830, and in the successful attempt of Catholic Belgium to separate itself from Protestant Holland. Herein lay the seeds of a powerful agitation. O'Connell's reconciliation with the Whig Government would have been invaluable as showing that Catholic Emancipation was at last to become a reality. But the Ascendency was still powerful, and public opinion in England had been alienated by O'Connell's conduct. Anglesey, the viceroy, recalled by Wellington in 1828, was again appointed by Grey. He was induced to retain the Protestant law officers who had served under his predecessors, and when one of these, Doherty—"Dirty Doherty," as the followers of O'Connell called him—was shortly afterwards promoted to the bench, Blackburne, another Protestant, was appointed. O'Connell had received a pledge that Doherty should not be raised to the bench, and this pledge was violated by Stanley, the chief secretary, without remonstrance from his colleagues. O'Connell himself, the unquestioned leader of the Irish Bar, was not even offered the dignity of a king's counsel. No single Catholic of note was offered promotion or employment;[1] and Anglesey had not been many weeks in Ireland before he was involved

[1] Some years later than this, Lord Wellesley, the Viceroy who succeeded Lord Anglesey, called the attention of the Cabinet, in a confidential letter, to the fact "that the Roman Catholics of Ireland had never yet been admitted to the full benefit of the laws passed for their relief. Entitled by law to admission into almost any office in the State, they had been, and were still, practically excluded from almost every branch of the executive administration of the Government. . . . It was impossible to suppose that a whole nation could repose confidence in or act cordially with a Government when so large a portion of the people were practically excluded from all share in the higher offices of the State, while their right to admission was established by law" (Wellesley's "Memoirs," vol. iii. p. 406).

in a protracted struggle with O'Connell. The details of this struggle are more entertaining than edifying; its results were fatal to the prospects of good government in Ireland.

The policy pursued by the Grey ministry towards Ireland was dominated by Stanley, between whom and O'Connell political antagonism had taken the form of personal antipathy and vituperation. Lord Anglesey, who undestood Ireland better than his associates in the Government, often complained that his views were set aside and his policy counteracted by the chief secretary, who occupied a seat in the Cabinet.[1] In 1832 ministers were too much occupied with the Reform struggle in England to give the needful attention to the question of social order in Ireland. A starving population was not to be fed, a discontented population was not to be pacified, by a Reform Bill—a measure denounced as inadequate and illusory by O'Connell and his supporters, and described by so impartial an authority as Erskine May as "the least successful of the three great Reform Acts of 1832."[2] Even the educational reforms of 1831–2, good in themselves, and accepted by O'Connell and Sheil, though resisted by the Ascendency party, were of no avail to touch the real sources of Irish misery and crime. Tithes were the source of disturbance throughout three provinces of Ireland, and this grievance, acting on the chronic misery of the poorer agricultural population, produced a condition of social disorder for which, in 1833, the usual remedy of a Coercion Bill was proposed. The Bill was, of course, carried, though not without prolonged debate and energetic resistance. It was the failure of a clumsy intrigue concerning the renewal of this measure in 1834, that brought about the resignation of Lord Grey. He was succeeded by Lord

[1] Lord Anglesey to Lord Cloncurry, February 1, 1832: "I cannot quite go your length with respect to S——, but I do not think he is very anxious to uphold me, and I do believe he would prefer a more *submissive master*. You must see that I work at a great disadvantage. He knows all *my* schemes, and I know few of his, until he finds himself in a difficulty. Thus all my projects, when laid before the Cabinet, if he does not go the *whole* length with me (and half-measures are worse than useless), are probably thwarted by him. He tells his own story, and I have no one to support and back my views" ("Personal Recollections of Lord Cloncurry," p. 367).

[2] May, "Constitutional History," vol. i. p. 430.

Melbourne, but before the end of the year William IV. had dismissed Melbourne and sent for Peel. Four years of Stanley's policy in Ireland thus sufficed to destroy one of the most powerful ministries that ever held office in England.[1]

It will be convenient at this point to pass in brief survey the legislation affecting Ireland which was undertaken by the Whig Governmeat of 1830. The Educational measures of Stanley and the Irish Reform Act have already been mentioned. The great difficulty of the time was the tithe question, associated as it was on the one side with the standing grievance of the Established Church, and on the other with the perennial scourge of Irish agrarian misery. It is unnecessary to waste time in showing that tithe, as levied in Ireland in 1830, was indefensible. That question was settled once for all in 1838, when the Tithe Commutation Act was finally passed. The history of the question goes back as far as 1735, when a Parliament of Protestant landlords had declared agistment land, or land on which cattle were pastured, to be tithe-free. Thus were the richer farmers of Ireland unjustly relieved of a burden which was still imposed on their poorer neighbours. In 1822 and 1823 the composition of the tithe had been made voluntary, and grass-lands had again been made subject to the impost. But this latter provision rendered the measure to a large extent nugatory. In 1832 an Act passed by Stanley made the composition compulsory, and in the same year an Act[2] was passed which authorised the Government to advance a sum of £60,000 to incumbents, who were reduced to the utmost distress by the impossibility of collecting the tithes due to them, and to take the necessary steps for collecting the arrears of tithes. Next year it was found that a sum of £12,000 had been collected at great cost and some loss of life, while the amount of arrears due throughout Ireland amounted to little short of £1,000,000 sterling. An Amending Act[3] was therefore passed, which empowered the Govern-

[1] Stanley was succeeded by Littleton, in 1833, but the policy underwent no material change.

[2] 2 & 3 Will. IV. cap. cxix.

[3] 3 & 4 Will. IV. cap. c.

ment to lend a million to the tithe-owners of Ireland, the repayment of the loan to be spread over a period of five years. Ultimately the loan was remitted. In 1834 a Bill was introduced for substituting a land tax for tithe, but was rejected by the House of Lords. So the matter rested when the first reformed Parliament was dissolved. In 1835 Sir Henry Hardinge, Peel's Irish secretary, resolved to abandon the loan of £1,000,000 advanced in 1833, and in this resolution Lord Morpeth, who succeeded him when Lord Melbourne returned to power in the same year, found it necessary to concur. The further history of the question is included in that of the larger question of the Irish Church, and will be more conveniently discussed hereafter.

Thus the Grey administration failed to grapple with the difficulty of tithes. It was not much more successful in its dealings with other Irish questions. The perennial agrarian difficulty it did not attempt to touch. Its solitary measure dealing with the Church was mutilated in the House of Lords, and thereby rendered nugatory as a settlement; and its struggle for the maintenance of law and order very nearly destroyed it in 1833, and ultimately brought about its overthrow in 1834.

In the beginning of 1833 the social condition of Ireland was deplorable. Lord Grey, in introducing his Coercion Bill in the House of Lords, enumerated no fewer than nine thousand crimes of violence, chiefly, indeed almost exclusively, agrarian, which had occurred in the preceding twelve months. Juries would not convict, murders were rife, and intimidation was almost universal. The authority of the law had practically ceased to exist throughout the greater part of the country. If it was to be restored, a Coercion Act of the most stringent and drastic character was plainly and absolutely necessary. It occurred to some that it might be expedient to inquire whether the social disorganisation and the appalling frequency of crime in Ireland were due to the presence of intolerable grievances which might be removed or at least alleviated; and whether, if these grievances were removable or susceptible of alleviation, it was the duty of Parliament to attempt to redress

them before proceeding to enforce obedience to a law not in itself entitled to respect.

These considerations did not weigh, however, with the Government and Parliament of 1833. It was not to be expected that they should. The malady was too acute. It seemed to call for immediate cautery, not for the slow process of remedial healing. Whatever may be thought of the measures then adopted, there is no sort of doubt as to the almost desperate condition of social order in Ireland in 1833. The Cabinet was divided, as usual. Stanley, the chief secretary, was the uncompromising advocate of coercion in its severest form. Lord Althorp, the leader of the House of Commons, was in favour of less coercion and more concession. For a time it seemed as if the Cabinet would break up, and that the Reform Government would never meet the reformed Parliament. Stanley, however, prevailed, not without a struggle—the effects of which were subsequently discernible in Althorp's demeanour in the House of Commons—and Lord Grey introduced into the House of Lords as severe a measure of repression as has ever been proposed, even for Ireland. The Bill, as the prime minister admitted, combined the provisions of the "Proclamation Act, the Intervention Act, the partial application of martial law, and the partial suspension of the Habeas Corpus Act."[1] This measure was introduced into the House of Lords on February 15, and was read a third time and passed on the 22nd without having produced a single division. Its fortunes in the House of Commons were more chequered. It was debated at intervals for five weeks, and sent back to the House of Lords on April 1. On its first introduction it narowly escaped miscarriage. Althorp explained its provisions in a speech characterised by Lord John Russell as "tame and ineffective." He failed to show that the ordinary laws of the land would not be sufficient to put an end to the disturbances. He recounted the tale of unpunished crime which Lord Grey had previously told in the House of Lords. But he added that "a special commission had been issued to try offenders,

[1] Walpole, "History of England," vol. iii. p. 153.

and the result had been completely successful." Where, then, asked his opponents, was the necessity for the Bill? They pointed to the report of the committee which had sat in the previous session to consider the state of Ireland, and had declared that "the law, when vigorously administered, is adequate to put down outrages." Althorp's tame and ineffective advocacy had, in fact, placed the Bill in jeopardy. A motion was proposed to postpone its introduction for a fortnight, and seemed likely to be carried.

Then Stanley spoke. He had witnessed Althorp's failure, and discerned the disposition of the House to lay the blame upon himself. He was known to be committed to coercion; he was thought to be opposed in his heart to the scanty measure of concession which the Government had embodied in their Church Bill. His own credit and that of the Government were involved in the fate of the Coercion Bill. He gathered up the papers which Althorp had used, and retired from the House to study them. In two hours he came back armed at every point. "He explained," says Lord Russell, "with admirable clearness the insecure and alarming state of Ireland. . . . The House became appalled and agitated at the dreadful picture which he placed before their eyes. They felt for the sorrows of the innocent; they were shocked at the dominion of assassins and robbers." Then he turned upon O'Connell, and overwhelmed him with his denunciation and invective. "The House, which two hours before seemed about to yield to the great agitator, was now almost ready to tear him to pieces. In the midst of the storm which his eloquence had raised Stanley sat down, having achieved one of the greatest triumphs ever won in a popular assembly by the power of oratory."[1]

After six nights' debate the Bill was introduced and read a first time. It was slightly modified in committee by two amendments, one of which disqualified all officers below the rank of captain from sitting in a military court, while the other required five members of the court to be unanimous before a conviction could take place. A further amendment

[1] Russell, "Recollections and Suggestions," p. 112.

was introduced by the Government whereby the jurisdiction of the courts-martial was so far restricted as to withhold from them the cognisance of all offences which were not of an insurrectionary character, and of words or speeches uttered not acccompanied by violence or threats, as well as the decision of the question whether any matter was or was not a seditious libel. These modifications of the original severity of the Bill were voluntarily conceded by the Government. In addition, O'Connell proposed a clause which declared "that it shall not be lawful for the Lord-Lieutenant or other chief governor or governors of Ireland to employ the powers conferred by this Act in any way to any county or district, merely because tithes shall not be paid in such district." The Government contended that these words were superfluous and inoperative, inasmuch as the clause which O'Connell proposed to amend already required a "district to be in a state of disturbance and insubordination" before the Lord-Lieutenant could apply to it the provisions of the Act. But the Government shrank from the odium which even the semblance of making the Bill a measure for the more effective collection of tithe would have entailed, and therefore they accepted the amendment.

When the Bill returned to the Lords, an attempt was made to give logical completeness to the clause amended by O'Connell. Lord Harrowby proposed to add that neither should any district be proclaimed merely for non-payment of rent or taxes. The amendment was rejected by 85 votes to 45. Had it been carried, the irony of the situation would have been complete. The clause would have enabled the Irish farmers to defeat the Government, and to annihilate social order, so far as it depended on the fulfilment of civil contracts and legal obligations, by the simple expedient of a passive and individual refusal to pay tithes, rents, and taxes.

As soon as the Act was passed, the county of Kilkenny, the chief seat of disturbances, was proclaimed by the Lord-Lieutenant, and the "Association of Irish Volunteers," of which O'Connell was the head, was suppressed. The

association had previously passed a resolution confiding all its acts and functions to O'Connell himself. It was not found necessary to appoint a single court-martial, even in Kilkenny, and the number of offences throughout Ireland diminished from 472 in the month of March to 162 in the month of May. Crime was diminished, as was to be expected; but, as was equally to be expected, the malady which paralysed social order in Ireland remained entirely without a cure.

An attempt to remedy some of the grievances of Ireland was, however, simultaneously made. On February 12, three days before the Coercion Bill was introduced in the Lords by the prime minister, Lord Althorp had explained the provisions of a measure for the reform of the Church. The Bill was introduced on March 11, and the second reading fixed for the 14th. On that day it appeared, however, that the formalities incident to a Bill dealing with taxation had not been complied with, and accordingly the original Bill was withdrawn, and a series of resolutions was substituted for it. The new Bill founded on these resolutions was read a second time on May 6. To O'Connell and the Radicals, the Bill was only acceptable because it contained an "appropriation clause"—a provision, that is, for the application of the surplus revenues of the Established Church in Ireland to secular purposes. This clause was dropped by Stanley in committee. It could never have had his real approval.[1] Earlier in the session,

[1] It is clear, from Le Marchant's "Memoir of Earl Spencer," that the Cabinet of Earl Grey was only with difficulty prevented from breaking up on the Irish Church question before the opening of the session of 1833. The unpublished correspondence of Lord Althorp, which the writers have, by the kindness of the present Earl Spencer, been permitted to examine, is still more conclusive on this point. For instance, Althorp writes to Grey on October 20, 1832, in reference to Stanley's Irish Church proposals, "I have seen John Russell, . . . who showed me a letter he had written and intended to send to you. I persuaded him to postpone it, which he readily did after talking to me The letter was to resign. . . . You have in your Cabinet diametrically opposite principles at work, and it will be very difficult to form any plan which can reconcile them." Again, on December 2, 1832, he writes to Grey, "I showed your letter to Stanley to Graham, as you desired me, and have had a long conversation with him upon it, which has left an impression on my mind that it is rather more likely that Stanley will resign

when the Coercion Bill was still in the Lords, and the original Church Bill had been explained by Althorp in the Commons, a suspicion had arisen that the Church Bill was only intended to float the Coercion Bill, and that the measure of conciliation would be dropped as soon as the measure of repression had been carried. In order to dissipate this suspicion, Stanley had declared in the name of the Cabinet that the Government were pledged to carry both measures, and that they would regard the rejection of either as equivalent to a declaration of want of confidence. It is a delicate problem of political casuistry to determine whether this pledge was consistent with the subsequent abandonment of the appropriation clause, the only portion of the Church Bill for which the opponents of the Coercion Bill really cared. However this may be, the clause was abandoned through fear of the House of Lords. Even so the Bill was strenuously resisted in the Upper House. A demonstration made, however, in the House of Commons by Sir John Wrottesley, who, in defiance both of Peel and Althorp, moved for a call of the House and was defeated by only 160 to 125, and the politic abstention of the Duke of Wellington from active opposition, sufficed to secure a majority of 157 peers against 95 in favour of the second reading. An amendment was moved by the Archbishop of Canterbury in committee, which provided

than not." Althorp's own views on the government of Ireland are interesting. It should be remembered that he had to bear the whole burden of the Parliamentary struggle, and that he hated Parliamentary life with a hatred which he expressed as follows in a letter written to Grey in November 1833: "If I had my choice I should decidedly prefer anything, death not excepted, to sitting upon the Treasury Bench in the House of Commons;" and again in a letter to Brougham, written after his father's death, he says, "I never wished, and never, I hope, could wish, to see any one made as unhappy as I have been by politics for any service he could do to me or to other people." With these views he was not likely to be hopeful in regard to the Parliamentary government of Ireland, and, in fact, he sighed for a benevolent despotism. In 1832 he wrote to Grey, "If I had my own way, I would establish a dictatorship in Ireland, until by the increased wealth and intelligence of the people they were become fit for a free government." Five years afterwards, when he had retired from public life, he wrote to Brougham on February 5, 1837, "I have no patience with those Irishmen, and am almost inclined to say that no Government has really done justice to Ireland since Oliver Cromwell."

that the revenues of a suspended benefice[1] should be allowed to accumulate for the purpose of building a church or glebe-house within the parish. This amendment was supported by Wellington, and carried against the Government by 84 votes to 82. The Government decided to accept this amendment rather than abandon the Bill, and the third reading was carried by 135 votes to 81.

At the close of the session Stanley retired from his chief secretaryship. Lord Durham resigned office, and was succeeded as lord privy seal by Goderich, who became Earl of Ripon, while Stanley succeeded the latter as colonial secretary. Stanley's immediate successor as Irish secretary was Sir John Cam Hobhouse; but he resigned in a few weeks, having failed to secure his re-election for Westminster, and was replaced by Littleton, afterwards Lord Hatherton, who remained chief secretary for Ireland, though without a seat in the Cabinet, until the Whig ministry was finally dismissed by William IV. in 1834. The Viceroy, Anglesey, resigned soon after the retirement of the chief secretary. Lord Grey was anxious to send Lord Melbourne in his place, but Melbourne, not unnaturally, declined to go. The Marquis of Wellesley, Littleton's father-in-law, towards whom O'Connell was not unfavourably disposed, was appointed in his stead.

The year 1834 was an eventful one for Ireland. The Coercion Act was in full force, and it had produced the usual effect at the usual cost. Crime and outrage were diminished, while disaffection and discontent were as rife as ever. O'Connell had again thrown himself actively into the cause of repeal. The tithe question was still unsettled, and Parliament was invited in the king's speech to take it once more into consideration. "I recommend to you," said the speech, "the early consideration of such a final adjustment of the tithes in that part of the United Kingdom as may extinguish all just causes of complaint, without

[1] A clause in the Bill empowered the Ecclesiastical Commissioners to suspend any appointment to a benefice in which no duty had been done for the three years preceding the introduction of the Bill. This clause was strenuously resisted in the House of Lords.

injury to the rights and property of any class of my subjects, or to any institutions in Church or State. The public tranquillity has been generally preserved, and the state of all the provinces of Ireland presents, upon the whole, a much more favourable appearance than at any period during the last year.[1] But I have seen, with feelings of deep regret and just indignation, the continuance of attempts to excite the people of that country to demand a repeal of the Legislative Union. This bond of our national strength and safety, I have already declared my fixed and unalterable resolution, under the blessing of divine Providence, to maintain inviolate by all the means in my power."

[1] The Lord-Lieutenant, Wellesley, wrote as follows to the chief secretary, Littleton, on July 19, 1834: "The country is much more tranquil, *except the Orange spirit, which is more furious than ever*." On August 7 he wrote, "The truth is, that Ireland will never be quieted by these annual expedients of suspending the laws and constitution of the realm. We must endeavour as soon as possible to return to the ordinary laws, and to be satisfied with a vigorous and pure administration of justice. *Until we are fixed on that rock, we shall never know genuine peace nor security*" (see "Memoir and Correspondence relating to Political Occurrences in June and July 1834," by the Right Hon. Edward John Littleton, first Lord Hatherton, pp. 108 and 110). It is curious to note the dissatisfaction with which successive Lords-Lieutenant regarded the vacillating and inconsistent policy which the Governments they represented were compelled by Parliamentary exigencies to pursue. See a very remarkable letter written by Lord Anglesey, Wellesley's predecessor, to Lord Cloncurry, on January 28, 1835: "Can the Peel and Wellington Government stand? I am sure it ought not, and if there be common honesty and fair dealing in man, it will not. But can any one count upon honesty and fair dealing in these days? I think not. I strongly suspect what are called the *moderate* Whigs. I have no faith in them. I believe that in general they are frightened, and only show Liberalism as long as the tide runs that way, and as it turns (if turn it do) they will float back with it. Neither have I any faith in the ultra-Tories. . . . Peel and Wellington will continue to hold the reins, and *with a bad grace* give all the reforms that were in contemplation by the last Government, and which, if my voice had been attended to, would, as far as the Irish Church is concerned, have been set smooth three years ago. But instead of attending to me, they took the advice of Stanley, and brought forth that notable Bill of his for the recovery of tithes, which I at once pronounced would be a total, and also a very expensive failure, and would cause much clerical blood to flow; and so it happened, and the Protestant clergy have been bleeding and starving ever since" (Lord Cloncurry, "Personal Recollections," p. 298). Lord Anglesey, it will be recollected, had been viceroy under the two successive Governments of the Duke of Wellington and Lord Grey.

The session was almost exclusively devoted to the discussion of Irish affairs. O'Connell opened the attack on the Government with a motion for the appointment of a select committee "to inquire into the couduct of Mr. Baron Smith, in respect to the discharge of his duties as a judge, and to the introduction of politics into his charge to a grand jury." Baron Smith was an aged Irish judge, who had in his youth been a friend and correspondent of Burke, and, though taking no part in political agitation, he had been a consistent advocate of the Catholic claims. He had, however, given offence to O'Connell and his followers by his denunciation of their political action in a charge to the grand jury of Dublin. This charge was made the chief ground of complaint; but it was fortified by the allegation that Baron Smith was in the habit of fixing the business of the Courts to suit his own convenience and the peculiarities of his personal habits. He rarely appeared in court before noon, and on one occasion, at the summer assizes at Armagh, he had sat, with brief intermission, for the trial of prisoners, from eleven o'clock in the forenoon until six o'clock the following morning, no less than fourteen prisoners having been tried during the last twelve hours of this extraordinary sitting. It had been the original intention of the Government to oppose O'Connell's motion, and Littleton, the chief secretary, had authorised Shaw, the leader of the Irish Protestants, to inform Baron Smith of this intention. O'Connell, however, slightly altered the terms of his motion, and, much to his surprise, Althorp, Littleton, and Sir John Campbell, the solicitor-general, who acknowledged the scandal of the judge's proceedings at Armagh, agreed to accept it in its amended form. Stanley supported them reluctantly, though he had not been consulted on their change of front; but Sir James Graham, the First Lord of the Admiralty, warmly opposed the motion. It was carried, however, by a majority of 167 to 74, and Sir James Graham at once tendered his resignation, which was not accepted. A few days afterwards O'Connell's motion was rescinded at the instance of Sir Edward Knatchbull. O'Connell had practically gained his end when the original

motion was carried, and his resistance to Knatchbull's motion was merely perfunctory. The ministers were divided, their conduct of affairs was discredited, and the authority of the bench in Ireland was impaired. It was clear that the substitution of Littleton for Stanley had introduced confusion into the Irish policy of the Government. Stanley's policy may have been ill-advised and mischievous, but it was at least vigorous, consistent, and uncompromising. Littleton's was a policy of clumsy and infirm management. "Leave me to manage Dan," he is reported to have said.[1] We have seen, and shall shortly see further, how Dan managed him.

This was a mere skirmish, though it had enabled O'Connell to show his own skill and to exhibit the weakness and indecision of the Government. It was already suspected, and it very shortly became clear, that the Cabinet was torn by internal dissensions. It is probable that its disruption was only averted in 1833 by the abandonment of the appropriation clause in the Church Temporalities Bill. Fear of the House of Lords was alleged as the justification of this policy, which had deeply offended O'Connell and disappointed the English radicals; but the events of 1834 show that no appropriation clause could have been carried by a Cabinet which included Stanley and Sir James Graham. Before the fight on the appropriation clause was renewed, O'Connell, who had agitated the question of repeal during the preceding recess in Ireland, brought forward a motion on the subject in the House of Commons. On April 22 he moved for a select committee "to inquire and report on the means by which the dissolution of the Parliament of Ireland was effected; on the effects of that measure upon Ireland; and on the probable consequences of continuing the legislative union between both countries." The occasion was not well chosen; but the motives which actuated O'Connell may be readily divined and explained. Five years had elapsed since the emancipation of the Catholics. The results of that measure, intercepted by the survival of Ascendency principles, had

[1] Greville's "Memoirs," 1st series, vol. iii. p. 103.

disappointed the Irish, and they were deeply exasperated by Stanley's administration. The great Reform Government, which had saved England from revolution, had done little or nothing effective to allay the discontents of Ireland. It had ignored the counsels of the man really responsible for the government of Ireland,[1] and it had allowed its feeble and temporising remedial measures to be emasculated in deference to Parliamentary necessities and the intrigues of Downing Street. It had played into the hands of O'Connell by leaving grievances unredressed, and it was now verging on dissolution, because it could not assent to measures which its own viceroys recommended. In these circumstances O'Connell's motion in favour of repeal was not unintelligible.

The result of a debate on repeal in the House of Commons was, of course, a foregone conclusion. O'Connell made a powerful speech, in which he exhausted the topics applicable to his thesis; but he spoke to an assembly which would not and could not stultify itself by destroying a constitutional fabric completed only five years ago. It is not to be supposed that O'Connell himself expected his motion to succeed. His subsequent action, during the ministry of Lord Melbourne from 1835 to 1841, is a proof that, in 1834, he was not himself irreconcilable. O'Connell was answered by Spring Rice in a powerful and lengthy speech, at the end of which the latter moved an amendment for an address to the Crown, to be communicated to the House of Lords for their concurrence, affirming the unalterable resolve of Parliament to maintain the legislative Union inviolate, and to persevere in applying its best attention to the removal of all just causes of complaint, and to the promotion of all well-considered measures of improvement. This amendment was carried by a majority of 523 to 38, only one English member voting with O'Connell; and the joint address of both Houses to the Crown was shortly afterwards presented. In this debate, which lasted for several days, ministers were powerfully supported by Peel. Peel's speech

[1] The viceroy, Lord Anglesey (see Cloncurry, "Personal Recollections," p. 378).

still remains one of the most effective and cogent arguments for the maintenance of the Union which has ever been heard in the House of Commons. In 1834 it was unanswerable; if it be thought to have lost some of its force after a lapse of more than seventy years, the explanation must be sought less in the weakness of the reasoning than in the breaches which time has made in its premises.

The cohesion of the ministry was now to be subjected to a more searching trial. The appropriation clause of the Church Temporalities Act of 1833 had been lightly abandoned; but certain members of the Cabinet were irrevocably committed to its principle, while others were known to be as unalterably opposed to it. These differences were well known, and O'Connell was determined to take advantage of them. In February Littleton introduced a resolution proposing that tithes should be commuted into a land tax amounting to eighty per cent. of the tithe. O'Connell stoutly opposed the resolution, and contended that the substitution of a land tax for the tithe would transfer the odium of collection from the clergy to the landlords. He proposed, as an alternative, the reduction generally of the temporalities of the Church, and the diminution of its tithes by two-thirds; one-third being left to the Established Church, one-third given to the Catholic Church, and one-third to the State. This proposal was denounced by Lord John Russell as an undisguised act of robbery, and Littleton's resolution was carried by a majority of 190 to 66. Early in May a Bill founded on this resolution was introduced. In the debate on the second reading of this Bill, Sheil—who afterwards took credit to himself for having "sown the seeds of salutary discord"—pointedly asked the ministers whether they were prepared to maintain or abandon the Church establishment. Stanley replied in language which did not satisfy Lord John Russell; in point of fact, the differences which had distracted the Cabinet, and had long been acknowledged in private, were now to be publicly exhibited in the House of Commons. Lord John Russell, apprehensive lest Stanley's words should be taken as a declaration on the part of ministers to uphold

the Church in its integrity, and not to appropriate its revenues, in any circumstances, to State purposes, answered Sheil's question by a declaration "that the opinion which he had formerly expressed on the subject of the Established Church in Ireland had undergone no change. . . . If the State should find that the revenue of the Church was not appropriated justly to the purposes of religious and moral instruction, it would then be the duty of Parliament to consider of a different appropriation." He went on to say that when the revenue of the Church was once secured by an equitable adjustment of the tithe question, he should feel it his duty to assert his opinion on the appropriation question, even at the cost of separating himself from his colleagues. He had resisted repeal on the ground that Parliament was ready to attend to the just complaints of the people of Ireland, and had thereby contracted an obligation which he could not lightly regard. On hearing this declaration, Stanley wrote his pithy note to Graham, "Johnny has upset the coach." Sheil pressed his advantage by asking Althorp whether the other ministers concurred with Lord John Russell, and, though Littleton made a clumsy attempt to temporise and mystify, Althorp frankly admitted that differences existed in the Cabinet. This was no news to well-informed politicians, but it was the first public presage of disruption.

The coach was, in fact, upset. But it was not Sheil's question nor Lord John Russell's answer that upset it. They were really only the occasion, not the cause of the disruption. It seems certain that Stanley had already made up his mind to go, and ministers in their private conclaves had begun to talk as if the overthrow of the Government was inevitable. Lord Grey had himself lost heart, and he spoke constantly of retirement. No immediate result, however, followed Lord John Russell's declaration. The debate was continued, and turned mainly on the question of appropriation and the acknowledged dissensions of the ministry, and in the end the second reading of the Tithe Bill was carried by a majority of 248 to 52.

Matters were soon brought to a crisis, however. The seeds of salutary discord sown by Sheil quickly germinated. Ward, the member for St. Albans, gave notice of a resolution affirming the principle of appropriation, and moved it on May 27, in a speech which recalls, and perhaps justifies, the epigram of Rogers which embalms his name.[1] The resolution was seconded by Grote. It is said that its terms were inspired by Durham, who had no love for the ministry. However this may be, it drove a wedge into the Cabinet. Brougham, in anticipation of its effects, endeavoured to prevent the breach by proposing to the Cabinet the appointment of a commission to inquire into the revenues of the Irish Church and the proportion which its members bore to the population of Ireland. But Stanley saw that the question of appropriation would be raised just as directly by the appointment of a commission and the inevitable character of its report as by the resolution, and he accordingly resigned just before the debate on the resolution began. His resignation was followed by those of Sir James Graham, First Lord of the Admiralty; the Duke of Richmond, Postmaster-General; and Lord Ripon, Lord Privy Seal. Stanley's resignation was only definitely known to Althorp, the leader of the House, after the debate had begun. As soon as Grote sat down, the Chancellor of the Exchequer rose to ask the House to adjourn in consequence of circumstances which had just come to his knowledge. Every one perceived that the crisis had come, and the House adjourned till June 2.

When the House met again after the adjournment, the new ministers had been appointed. Those of them who were members of the House of Commons secured their re-election, though not without difficulty in some cases. The ministry was severely shaken, but it weathered the storm for a time, and O'Connell subsequently recorded his exultation at the overthrow of Stanley, and his contempt for his slender following, in a happy quotation which is

[1] "Ward has no heart, they say, but I deny it;
He has a heart, and gets his speeches by it."

still remembered.[1] Althorp announced the intention of the Government to appoint a lay commission of inquiry into the state of Church property and Church affairs generally in Ireland, and, after an ineffectual appeal to Ward to withdraw his motion, he moved the previous question. This was carried, after a long debate, by a majority of 396 to 120. Stanley, in his speech, declared his opposition to appropriation in every form, and affirmed that the issue of a commission on the Irish Church "involved a principle destructive of the very existence of an Established Church"; while Peel used language which was afterwards stated by Lord Grey in the House of Lords to express views identical with those of the Government, and induced Ellice, who had just been admitted to the Cabinet, to observe that Peel should have been Stanley's successor. But the difficulties of ministers were not overcome by their victory in the House of Commons. The king and the House of Lords were against them, and the country was irritated and perplexed. On May 28 the king received from the Irish bishops an address of congratulation on his birthday. This address protested against hasty innovations in the Church. The king replied, not with a formal acknowledgment, but with a speech directed against his ministers. In the House of Lords a motion was made, and not resisted by the Government, for an address to the king for a copy of the commission, and the debate showed clearly enough the hostile feeling of the House of Lords towards the reconstructed ministry.

The ministers were not long to enjoy the repose which they seemed to have secured by the secession of Stanley and his friends, and the appointment of the Church commission. The Coercion Act, which had been passed for a single year, had to be renewed. Lord Wellesley, the viceroy, had at first suggested that it should be renewed without modification. But Littleton was convinced that the clauses providing for the suppression of meetings would

[1] "So down thy hill, romantic Ashbourn, glides
The Derby dilly carrying three insides."
Anti-Jacobin No. 24, April 23, 1798.

cause great difficulty, and possibly disaster, to the Government in the House of Commons. In this conviction Brougham, whom Wellesley had enjoined Littleton to consult in the matter, concurred. The two ministers, without consulting their colleagues, wrote separately to Wellesley and urged him to represent to Grey that he was prepared to abandon the meeting clauses. In the meantime, after the letters had been sent, and before answers could be received, the Cabinet resolved to adhere to the clauses, no mention being made by Brougham of the letter he had written to Wellesley. Wellesley replied to Littleton, "I entirely agree with you, and have written to Lords Grey, Brougham, and Melbourne accordingly." A day or two later he wrote again, "I have looked over the Protection Act, and I think the clauses you enumerate, with the alteration you propose, will answer all purposes." The Irish attorney-general, Blackburne, also concurred with the viceroy as to the expediency of abandoning the meeting clauses. Armed with the viceroy's letter, Littleton now consulted Melbourne and Althorp. Melbourne was evidently surprised at what had been going on, and vexed that Wellesley had not, as he apparently intended, written to himself; but he said to Littleton that "there could be no question that the clauses must be given up, as no Government could ask Parliament for an unconstitutional power in Ireland, the necessity of which the Lord-Lieutenant had been led to disclaim." Althorp said that Lord Grey was likely to refuse any concession, and might even retire if it were pressed; but that the clauses in question would certainly form no part of the new Bill, as he himself was resolved to resign sooner than allow them to be renewed. Littleton then asked Althorp whether it would not be desirable and prudent to see O'Connell and apprise him that the precise form and extent of the measure were not decided upon. "Lord Althorp," says Littleton, in his account of these transactions, "concurred in and sanctioned that step, cautioning me, however, not to commit myself to any detail."

Littleton now set himself to "manage Dan." He sent

for O'Connell to the Irish Office, and "cautioned him against any unnecessary excitation of the people in Ireland until he should have seen the new Coercion Bill, which would be renewed, but with certain limitations. "He thanked me," continues Littleton, in his narrative, "and promised to consider my communication as strictly private and confidential." This is Littleton's account of the matter. O'Connell, in the House of Commons, declared that the chief secretary's language had been more precise. However, for a few days the negotiation was still kept secret. O'Connell, in consequence of his interview with Littleton and the satisfactory assurances which he thought he had received, withdrew his support from the repeal candidate whom he had started for a seat vacant at Wexford, and cancelled an address to the reformers of England, in which Lord Grey was outrageously vituperated. A day or two after Littleton's interview with O'Connell, the Cabinet met, and Lord Grey laid before it a private letter from the viceroy, in which the latter expressed his readiness to dispense with the meeting clauses. Lord John Russell, on hearing this letter read, remarked that it seemed to be written as an answer to some inquiry, and not as a spontaneous communication, and asked whether any member of the Cabinet had communicated with Wellesley on the subject. Brougham thereupon found himself compelled to acknowledge the share he had had in the transaction. "The oft-tried patience of the veteran chief, on this discovery, gave way. He said afterwards, with warmth, that had he been a younger man he would have turned out the chancellor and gone on, as he might very well have done; but at seventy he did not feel himself equal to the effort, or prepared for the consequences of such a step."[1] Lord Grey, however, was not at this time aware of Littleton's communications with O'Connell, and Althorp, who had recommended caution, could not suppose that anything like a pledge had

[1] "Life of Melbourne," vol. ii. p. 3. Wellesley's letter was regarded by Lord Grey as a private and confidential one, and he persistently refused to allow it to be presented to Parliament. It was first published in the *Edinburgh Review* for July 1871, and is reprinted in Lord Hatherton's "Memoir," p. 33.

been given. The Cabinet was therefore free to consider Lord Wellesley's letter on its merits, and, in view of the fact that he had assented to the withdrawal of the meeting clauses, in defiance of his judgment formerly expressed, rather in consideration for Parliamentary necessities in England than out of regard for the actual condition of Ireland, it decided, at the prime minister's urgent instance, to renew the Act as it stood with the exception of the court-martial clauses, which had never been put in operation.

This happened on June 29.[1] On the 30th Littleton crossed the House of Commons and communicated what had happened to O'Connell. What passed between them was subsequently a subject of controversy. "You must resign," said O'Connell, as both parties seem to admit. According to Littleton, his answer made no reference to his possible resignation, but simply urged O'Connell to say and do nothing until Lord Grey had made his statement in the House of Lords. As a matter of fact, O'Connell was silent, but he abandoned a motion for the reprinting of a report made by Sir Henry Parnell on Irish disturbances in 1832. This report was unfavourable to coercive measures. On July 1 Lord Grey introduced the new Coercion Bill in the House of Lords. O'Connell now thought himself absolved from the promise of secrecy which he had given, and on July 3 he told the whole story in the House of Commons. On the 4th Littleton decided to resign, and on the next day his resignation was placed in

[1] Some days previously — indeed, immediately after the receipt of Wellesley's letter—Grey had made up his own mind on the point. Wellesley wrote to Littleton on June 25, "I have received a letter from Lord Grey, expressing great aversion to the omission of the meeting clauses, and stating a positive opinion that 'the proposed concession would not facilitate the progress of the Tithe Bill, or of the remaining part of the Coercion Bill, and still less would render it possible to propose any extension of the term of the Coercion Bill.' I should be very unwilling to oppose his opinion, and shall certainly be satisfied with whatever course the Cabinet chooses to adopt" (Hatherton's "Memoir," p. 43). This should have shown Littleton the treacherous character of the ground on which he was standing. He had heard exactly the same from Melbourne and Grey themselves; but he still persisted in believing that the meeting clauses would be abandoned, and he took no steps to inform O'Connell of the difficulties that had arisen.

Lord Grey's hands. It was not accepted, and a few days afterwards Lord Althorp, in presenting some papers connected with the subject to the House of Commons, declared that Littleton had had reason for stating to O'Connell, at the time of his interview with him, that the question was unsettled and under the consideration of the Cabinet. Nothing was as yet known in Parliament of the share which Brougham had had in the transaction, nor of the encouragement which Littleton had received both from Melbourne and Althorp to believe that they would neither of them be parties to the renewal of the meeting clauses. Littleton accordingly represented to Althorp that some further explanation should be given, in order to put the matter in its true light. Althorp, however, was by this time resolved to resign, and in transmitting his resignation to the king Grey accompanied it with his own. The power of his ministry was shattered, and he could no longer bear the humiliation inflicted on him by incompetent subordinates and disloyal colleagues. It is difficult fairly to distribute the blame in this remarkable and most instructive episode in the Parliamentary government of Ireland by England. Grey blamed Brougham, Wellesley blamed Melbourne, Littleton blamed O'Connell and the members of the Cabinet who had not fulfilled their pledges. The historian may perhaps blame all a little, and none much.

The great Reform ministry was thus overthrown, and an Irish question had overthrown it. The ministry, it is true, was ultimately reconstructed, but for a time it was dissolved. Lord Grey had resigned, and Althorp, in announcing his own resignation in the House of Commons, at the same time announced that of the prime minister, and stated that in consequence "the administration was at an end." Brougham, however, declared on the same day, in the House of Lords, that he at least had not thought it his duty to retire, and that the only resignations tendered to the king were those of the prime minister and the chancellor of the exchequer. But the ministry was at an end all the same, and if the king had had his way it would never have been reconstructed. On announcing his resignation to the

Cabinet, Grey had handed to Melbourne a summons from the king. The king desired Melbourne to undertake the formation of a new Government, but at the same time called upon him "to enter into communication with the leading individuals of parties, and to endeavour at this crisis to prevail upon them to afford their aid and co-operation towards the formation of an administration upon an enlarged basis, combining the services of the most able and efficient members of each," and specifically desired him to "communicate with the Duke of Wellington, with Sir Robert Peel, with Mr. Stanley, and with others of their respective parties, as well as with those who have hitherto acted with himself and have otherwise supported the administration, and to endeavour to bring them together and to establish a community of purpose." Melbourne, in his reply to the king, pointed out the impracticability of the arrangement suggested, and, having agreed to abandon the meeting clauses of the Coercion Act on which Lord Grey had insisted, he succeeded in persuading Althorp to resume his place as chancellor of the exchequer and leader of the House of Commons.

Althorp's conduct in returning to office was much criticised, but it is not easy to see what other course was open to him. His dislike of office amounted to a positive hatred. But it is a fundamental maxim of constitutional statesmanship that the sovereign must not be left without a Government. Lord Grey had resigned; he had long wanted to retire, and it was perfectly clear that his resignation was final. After all that had occurred, nothing would have induced him to remain in office and consent to the modification of the Coercion Bill. Althorp knew, what possibly no other of his colleagues knew, that Grey had practically made up his mind to retire even before O'Connell had revealed what had passed between himself and Littleton.[1] A Tory Government was impossible. The

[1] This appears from a letter in the Althorp papers, addressed by Grey to Althorp on June 30, the day after the Cabinet had agreed to adhere to the meeting clauses, but before the Bill had been introduced into the House of Lords, and therefore before O'Connell made his statement in the House of Commons. The letter is too long to give in full, but the following passages may be quoted: "I at present see no way out of our difficulties but that

king had attempted to bring about a coalition and failed. A reconstruction of the late Government under Melbourne as prime minister was the only remaining alternative; for this purpose the co-operation of Althorp was indispensable. Accordingly, yielding with the utmost reluctance to the pressure of his colleagues and followers, he agreed to go on, and the ministry was reconstructed. Littleton's determination to retire, lest Grey should think he had played him false, very nearly frustrated the new arrangement; he was persuaded at the last moment by the personal solicitation of the chancellor, of Melbourne, and of Althorp to resume his place, and the new administration was at last complete.

Thereupon Melbourne announced in the House of Lords that the Coercion Bill introduced by Grey would be abandoned, and a new one introduced which would not contain the meeting clauses. The Tory Lords protested, and the ministers were roundly denounced, for their inconsistency, tergiversation, and unblushing abandonment of principle; but the Bill was allowed to pass. In the Commons Peel reluctantly consented to support the Government while condemning its action, and O'Connell, who by this time had become reconciled to the Government and made it feel his power, agreed to refrain from active opposition. As soon as the Coercion Bill was disposed of, the Tithe Bill was again taken up. Already great changes had been made in this Bill since it was first introduced. These changes greatly provoked Stanley, who attacked the Government in a vigorous and virulent speech, which is still remembered for its "thimble-rigging" metaphor. The Bill as modified was so

of resigning the Government. . . . I have given up my own opinion on many points, for the sake of preventing the evils likely to arise from a change of administration. But such concessions must have a limit, and I feel that I have great reason to complain that, after a measure had been agreed upon, and no doubt existed with respect to it, private communications are made to the Lord-Lieutenant without my knowledge, which induce him to express an opinion inconsistent with that which his own views of the state of Ireland suggested, and chiefly maintained on grounds from which I entirely dissent. . . . The Bill as it has been agreed upon must be maintained stoutly, or I must say to the king that I can no longer conduct the Government." This letter is quoted, though not in full, in Le Marchant's "Memoir of Earl Spencer," p. 498.

complicated that no one seemed clearly to understand its provisions, not even the chief secretary himself. As it never became law, it is unnecessary to explain these intricate details. O'Connell endeavoured to persuade the Government to abandon the Bill, or at least to wait until the Church Commission had reported. He accordingly opposed the motion for going into committee. In this he was severely defeated by a majority of 154 to 14. But in committee he retrieved this defeat by proposing that the arrears of tithe, which the Bill empowered the Government to collect, should be abandoned, so that the commutation clauses might be brought into operation at once. The ministers formally opposed this proposal, but allowed themselves to be defeated. Parliamentary politics had, however, by this time resolved themselves into a trial of strength between O'Connell and the House of Lords ; and when the Bill, as amended by O'Connell, was presented to the Upper House, the Lords rejected it by a majority of 189 to 122. Parliament was prorogued a few days afterwards, and in November Earl Spencer, father of Lord Althorp, died. By his death, and the consequent accession of Lord Althorp to the peerage, the House of Commons lost its leader, and the whole ministry was sensibly, perhaps irrecoverably, weakened. The king thought that the time was come for a change, and when Lord Melbourne waited on him at Brighton to take his commands as to the changes necessary, he received an intimation that his Majesty no longer required his services. The king had resolved to have a Tory Government, and Melbourne was entrusted with a message to the Duke of Wellington, summoning the latter to his presence. The Duke provisionally accepted the Government, and kissed hands as Secretary of State while awaiting the return of Peel, who was hastily summoned from the continent. Before the end of the year the new ministry was complete, Peel being Prime Minister, and Sir Henry Hardinge Chief Secretary for Ireland. Parliament was dissolved, and in the general election the Tories, now calling themselves Conservatives, gained largely, though they did not secure a majority.

In examining the treatment of Ireland by the Grey ministry and the Reformed Parliament, it has been necessary to dwell at some length on the Parliamentary history of the time. The fate of Ireland for those years, and for many years afterwards, was decided at Westminster. The failure of the Whig Government to bring Ireland to a state of content and tranquillity was due to a variety of causes—to English ignorance of the real condition of Ireland, and the indifference of Parliament to its undoubted grievances; to the surviving strength of the Ascendency party, which sufficed to make the emancipation of the Catholics an illusory concession; to the temper and character of Stanley; and to the strength of the Protestant feeling in the English constituencies. The tithe war, as it was called—and in truth it was a warfare, conducted on both sides with the utmost determination — was the direct consequence of Catholic Emancipation, which stimulated certain of the more fanatical of the Protestants to renewed efforts on behalf of their Church. In 1830 a proselytising movement was set on foot, which was known as the New Reformation. It had for its object the conversion of Catholic peasants, and to some extent it was successful. The tithe war arose out of this movement. It had latterly been the custom of the tithe-owners not to demand tithe of the Roman Catholic priests. But a few ardent spirits among the Protestant clergy determined to abandon this politic custom, and the Catholics were more than ever incensed against the exaction of tithes when they found not only that their priests were attacked, but that the money collected was being used for the purpose of proselytism. From this source arose the earlier struggles in the tithe war. The collection of tithe was enforced by large bodies of constabulary and military. In the year 1830, six hundred men were employed to collect the tithes in the parish of Graigue, where a hot-headed curate, Mr. McDonald, had demanded tithe of the parish priest, Father Doyle. In two months only a third of the tithe had been collected, and the troops were then withdrawn. At Newtown Barry, in the same year, a collision occurred between the yeomanry and the peasants, in

which twelve of the latter were shot dead and twenty fatally wounded. In this case the sergeant of yeomanry was put on his trial (the grand jury having ignored the bill against the captain), but, as no witnesses came forward, he was discharged. Several other struggles occurred in the same year, the most serious of which was that of Carrickshock, in which the police were totally routed, with a loss of eleven killed and seventeen wounded. The peasantry also suffered severely. After this, and mainly in consequence of the measures already described, which were taken by Parliament in 1831 for the temporary relief of the Protestant clergy, the war was suspended for a time. But in 1832 fresh attempts began to be made to exact tithe from the Catholic clergy. These and similar disturbances gradually brought about that condition of agrarian turbulence, accompanied by intimidation, exclusive dealing—known since 1880 by the name of "boycotting," but practised by the Irish people in all periods of conflict—outrage, and general social disorganisation which has so often, in the history of Ireland, seemed to call for and to justify exceptional repressive legislation, We have seen how the Reformed Parliament concocted its judicious mixture of coercion and remedial legislation; how the remedies were adulterated, diluted, and delayed in application till their whole efficacy was frustrated, while the coercion was applied with alacrity, promptitude, and a certain amount of superficial success. Discontent in Ireland was for a time driven beneath the surface. It reappeared, a few years after, in the shape of a formidable agitation for repeal of the Union.

For their neglect to strike at the causes of social disorder in Ireland, the Government of 1830 cannot be excused. Extreme misery is chronic in Ireland. It often takes the acute form of actual famine. When it does, it invariably produces an outbreak of agrarian turbulence. Every grievance under which Irishmen have suffered has contributed its portion to the terrible tale of agrarian crime. Every malady which has afflicted Ireland has ultimately assumed that "worst form of civil convulsion, a war for the means of

subsistence."[1] Protestant Ascendency maintained the land laws and supported the power of "*une mauvaise aristocratie*."[2] The exaction of tithes was an instrument of Protestant oppression. The Established Church was the symbol and fortress of Ascendency. The agitation against all these grievances was accompanied by agrarian turbulence. The Union itself was attacked by O'Connell on the ground that the imperial Parliament lacked either the capacity or the will to extirpate the real causes of Irish misery and discontent; and throughout the struggles which these grievances engendered, the imperial Parliament and Executive could devise no better policy than to tinker at the grievances while striking savagely at the social disorder which they created. If misery was at once the perennial source of turbulence and the motive-power of legitimate agitation, statesmanship should surely have endeavoured to mitigate the poverty, to cut out the roots of turbulence, and to remove the sources of agitation as well as its pretexts.[3] Why has Irish importunity always been more than

[1] Cornewall Lewis, "Irish Disturbances," p. 338.

[2] De Beaumont, *L'Irlande, Sociale, Politique, et Religieuse*, vol. i. part i. chap. ii.: "On ne saurait considérer attentivement l'Irlande, étudier son histoire et ses révolutions, observer ses mœurs et analyser ses lois, sans reconnaître que ses malheurs, auxquels ont concouru tant d'accidents funestes, ont eu et ont encore de nos jours, pour cause principale, une cause *première*, radicale, permanente, et qui domine toutes les autres—cette cause, *c'est une mauvaise aristocratie*."

[3] The literature, both official and private, illustrative of Irish distress and Irish crime in the first forty years of the century is very voluminous. In Gustave de Beaumont (*L'Irlande, Sociale, Politique, et Religieuse*), and Cornewall Lewis ("On Local Disturbances in Ireland"), the official information published on tbe subject down to the year 1836 is ably summarised. Further information will be found in Mr. Barry O'Brien's invaluable work, "Fifty Years of Concessions to Ireland, 1831–1881." It is, perhaps, unnecessary to cite extracts. It may be taken for granted that the extreme misery of the Irish people, periodically culminating in famine, was perfectly well known to the English Governments from 1820 to 1845. This is what Carlyle thought about the matter ("Chartism," chap. iv.): "Ireland has near seven millions of working people, the third unit of whom, it appears by statistic science, has not for thirty weeks each year as many third-rate potatoes as will suffice him. It is a fact perhaps the most eloquent that was ever written down in any language, at any date of the world's history. Was change and reformation needed in Ireland? Has Ireland been governed and guided in a 'wise and loving' manner? A government and guidance

a match for English fortitude? Because England has always, sooner or later, been compelled to recognise that Irish grievances rested on a real foundation of substantial abuses and chronic misery. The abuses have been slowly, hesitatingly, and reluctantly removed one by one. The misery has always remained. A foreign observer could see at a glance that the secret of Irish misgovernment lay in *une mauvaise aristocratie*—in an upper class estranged

which has issued in perennial hunger of potatoes to the third man extant, ought to drop a veil over its face and walk out of court under conduct of proper officers, saying no word, expecting now of a surety sentence either to change or die. All men, we must repeat, were made by God, and have immortal souls in them. The sans-potato is of the selfsame stuff as the superfinest Lord-Lieutenant. Not an individual sans-potato human scarecrow but had a life given him out of heaven, with eternities depending on it, for once, and no second time; with immensities in him, over him, and round him; with feelings which a Shakespeare's speech would not utter; with desires as illimitable as the autocrats of all the Russias. Him various thrice-honoured persons, things, and institutions have long been teaching, long been guiding, governing; and it is to perpetual scarcity of third-rate potatoes, and to what depends thereon, that he has been taught and guided. Figure thyself, O high-minded, clear-headed, clean-burnished reader, clapt by enchantment into the torn coat and waste hunger-lair of that same root-devouring brother-man!" And this is Cornewall Lewis's account of the relation between distress and crime ("Irish Disturbances," p. 98): "It has been already explained how the Irish peasant, constantly living in extreme poverty, is liable, by the pressure of certain charges or by ejectment from his holding, to be driven to utter destitution—to a state in which himself and family can only rely on a most precarious charity to save them from exposure to the elements, from nakedness, and from starvation. It is natural that the most improvident persons should seek to struggle against such fearful consequences as these; that they should try to use some means of quieting apprehensions which (even if never realised) would themselves be sufficient to embitter the life of the most thoughtless; and it is to afford this security that the Whiteboy combinations are formed. The Whiteboy Association may be considered as a vast trades union for the protection of the Irish peasantry, the object being, not to regulate the rate of wages or the hours of work, but to keep the actual occupant in possession of his land, and in general to regulate the relation of landlord and tenant for the benefit of the latter. Certain other objects are added, the chief of which is to prevent the employment of a stranger, the quantity of work being, in the opinion of the labourers, already insufficient for the natives. At times, moreover, the Whiteboys have sought to reduce the rate of tithe, or to prevent its collection, or to lower the priests' dues. These combinations being constantly in existence, and working with weapons which may be turned to any purpose, the objects have, perhaps, somewhat varied; but in general they have been restricted simply to the occupation of land and the several payments immediately connected with it."

from the people and neglecting its duties. Yet for seventy years at least after the passing of the Act of Union, the constant endeavour of the imperial Parliament was to govern Ireland through the influence and according to the ideas of this estranged aristocracy. The pity of it is that the evil was wrought less by intention than by inattention. England strove to do her duty by Ireland, but she knew not how. She would not stoop to listen to those whom she accused—certainly not without reason—of encouraging disaffection and taking advantage of crime. She would not recognise that she had repeatedly taught Ireland the lesson that concession was the reward of violence, and that justice itself was only done when Ireland had to be appeased. The warnings of those members of the dominant order whose integrity and clear-sightedness compelled them to take the popular side were unheeded, and their pleadings were despised.[1] Parliament persisted in doing what Englishmen thought good for Ireland, not what Irishmen thought good for themselves. It is quite possible that Englishmen were right and Irishmen wrong. But the whole action of the former was inconsistent with the theory of an incorporating union, and an illustration of the pregnant maxim enunciated by Swift, that "government without the consent of the governed is the very definition of slavery." The demand for repeal was at first feeble and might have been transient, though O'Connell himself was always its ardent supporter. It afterwards became the more serious, but still premature and impatient, expression of O'Connell's mistrust of the capacity and goodwill of the imperial Parliament to do for Ireland what Irishmen wanted done. In this its earlier form, however, it was temporarily placed in abeyance by O'Connell himself, when the advent of Lord Melbourne's Government to power in 1835 seemed to afford a hope that Ireland was at last

[1] See Lord Cloncurry's "Recollections," *passim*, and the remarkable speech delivered by Smith O'Brien on "The Causes of Discontent in Ireland," in the House of Commons, on July 4, 1843. When this speech was delivered, Smith O'Brien was not a repealer, but on October 20 he forwarded a subscription to the "Loyal National Repeal Association."

about to be governed in accordance with the wishes and necessities of the Irish people. It was only when this hope was frustrated by the action of the House of Lords in England and of the Ascendency party in Ireland, and when the Whig Government of Lord Melbourne had given place, in 1841, to the Tory Government of Sir Robert Peel, O'Connell's lifelong antagonist, that repeal was again taken up in earnest. It was not, indeed, until two years later that Smith O'Brien and others of his class joined the ranks of the repealers.

II

THE PEEL INTERREGNUM AND THE MELBOURNE RÉGIME

THE short interregnum of Tory government under Sir Robert Peel in 1834–5, is only of importance to the history of Ireland in the illustration it offers of the controlling influence exercised by Ireland on the course of English politics. In the general election, which took place in the winter, O'Connell and his followers vehemently opposed the Tory candidates. Their language was so unmeasured and their action so violent that they alienated much sympathy in England, and contributed to the overthrow of Liberal candidates throughout the United Kingdom. The result of the elections was to throw the balance of power into the hands of O'Connell and his followers. Peel had a majority in England, but in the United Kingdom a majority, albeit a diminished one, was returned against him. He endeavoured for some months to govern without a majority in the House of Commons; but at last, after a series of defeats, he was forced to give way to his adversaries. He retired from office, and left the whole Irish question very much as he had found it. His chief secretary, Sir Henry Hardinge, introduced a Tithe Bill, framed very much on the same lines as that which had been rejected by the House of Lords in 1834; but the progress of the measure was cut short by the famous resolution on appropriation, which finally overthrew his ministry. The country was willing to give Peel a fair trial; but the Whigs were exasperated at the treatment which Lord Melbourne had received from the king in 1834, and they were determined, if possible, to make Peel the scapegoat of their resentment. It was necessary, in order

to obtain a majority, to select some question which would combine Whigs and Radicals, and both with the followers of O'Connell. The question of appropriation was selected for this purpose, because it had been made a point of honour by Lord John Russell and the Whigs, was a point of principle with the Radicals, and a point of conscience with O'Connell. It is certain, however, that in respect of this question, and indeed of the whole question of the political and social equality of Catholics and Protestants in Ireland, the Liberal majority of 1835 was far in advance of the public opinion of Great Britain. The Protestantism of the Protestant religion was, in all religious matters, the characteristic note of the classes represented in the Reformed Parliament. Dissent was barely tolerated by them, and Popery was an abomination. The alliance with O'Connell was never popular in England, and the appropriation clause hung like a millstone round the neck of the Melbourne administration. Yet it is easy to see why it was that this question was chosen by Lord John Russell as the battle-ground on which to join issue with Peel. "As leader of the Liberal party in the House of Commons," says Lord John Russell himself,[1] "I had no smooth path before me. To turn the majority into a minority by a direct vote of want of confidence would have been easy. But my object was to keep the majority together; and in the whole twenty years during which I led the Liberal party in the House of Commons, I never had so difficult a task. The plain and obvious plan of voting the supplies for three months being given up, the question naturally occurred, in what manner could Sir Robert Peel obtain that fair trial which his own partisans and many independent Whigs called for on his behalf? There appeared no question so well fitted for an *experimentum crucis* as the question of the Irish Church. The proposal for a commission, made by Lord Grey's Government, had been considered by four of the leading members of the Cabinet as a test of principle, and the Liberal members of the first Reformed House of Commons had

[1] "Recollections and Suggestions," p. 134.

accepted the question of the integrity and perpetual endowment of the Irish Church, as marking the frontier-line between Liberal and Tory principles. I therefore proposed to bring forward a resolution which, on the one hand, would be supported by Lord Howick, and was, on the other, the basis of an alliance with O'Connell and the Irish members. Compact there was none, but an alliance on honourable terms of mutual co-operation undoubtedly existed. The Whigs remained, as before, the firm defenders of the Union; O'Connell remained, as before, the ardent advocate of repeal; but upon intermediate measures, on which the two parties could agree consistently with their principles, there was no want of cordiality. Nor did I ever see cause to complain of O'Connell's conduct. He confined his opposition fairly to Irish measures. He never countenanced the Canadian Catholics in their disaffection, nor promoted a recurrence to physical force, nor used trades unions as a means of discord and separation among classes."

This was the genesis of the Melbourne administration of 1835. O'Connell agreed to hold repeal in abeyance on condition that the Whig Government should seriously undertake the redress of Irish grievances. It appears, from the "Life of Melbourne," that O'Connell had reason to expect that he would be invited to take office in the new Government which Melbourne undertook to form on the resignation of Sir Robert Peel. Whether the post of Attorney-General for Ireland was actually offered him is not clear; it is certain that he expected the offer to be made.[1] The opposition of the king, however, and the ob-

[1] Brougham wrote to Althorp in the spring of 1834, "I so entirely agree with all you say of O'Connell, that were I the master—that is, were I minister—I should *begin my reign* by making O'Connell attorney-general in Ireland; that I hold clear. But as that will not now be done, though it will before twelve months pass (mark my words), I am thinking of another means of securing perfect tranquillity, and giving you an easy session and a quiet recess" (Althorp Papers). It was at this time that Mr. Lambert wrote to Lord Cloncurry, "If you want to carry any point with the Government, apply to Mr. O'Connell for his interest; it will not fail. It is actually *rutting* season with that great character and our illustrious rulers" (Lord Cloncurry's "Memoirs," p. 387).

jections of certain members of the new Cabinet proved to be insurmountable, and O'Connell silently acquiesced in his exclusion from official life. Lord Mulgrave was appointed Lord-Lieutenant, and Lord Morpeth became chief secretary. The attorney-general was Mr. Louis Perrin, a highly respected Protestant barrister; and the solicitor-general, Mr. O'Loghlen, who, next to O'Connell himself, had the highest reputation, and the greatest amount of practice among Catholic lawyers. These appointments were all acceptable to O'Connell, and some of them were probably suggested by him, though he would no doubt have preferred that O'Loghlen, who had previously been solicitor-general, should have been promoted to the higher office. He had full confidence, however, in the moderation and judicial temper of Perrin, and it was noticed that when the writ was moved for the county of Monaghan, which Perrin represented, O'Connell rose, with several of his immediate followers, and crossed the floor, to take his seat on the ministerial side of the House, a position which he retained throughout the whole period of the Melbourne administration. One of Perrin's first acts was to rescind the rule, till then observed by the Crown prosecutors in Ireland, which required that Catholics should be set aside when called on the jury panel. "If we Protestants," he said, "when accused rightly or wrongly of crime, were not allowed to have one of our own creed among the jurors, what sort of loyalists would we be?" The Ascendency party bitterly resented this act of Perrin's, but it was stoutly supported by Melbourne. It put an end once for all to the worst evils of jury-packing in Ireland. The Crown still largely exercises its right of challenge, but in theory the panel is now constructed on the principles laid down in 1835 by Perrin and O'Loghlen, and when Catholic jurors are now ordered to stand aside, it is, as is always alleged, not on account of their creed, but in order to secure a true and impartial verdict.

It is needless to say that the Ascendency party and its organs, both in England and in Ireland, were deeply incensed by the Irish appointments of Lord Melbourne. The viceroy was at once nicknamed "O'Mulgrave," and de-

nounced because he was supposed to have conducted the negotiations which secured the support of O'Connell for the Whig Government. He received, probably for the same reason, an enthusiastic welcome from the people of Dublin, and this again gave great offence. The support of O'Connell and the goodwill of the Irish people were, in the eyes of the Ascendency, the worst credentials an Irish Executive could have. Yet the alliance was an honourable one on both sides. On the one hand, it signified that an English Government was at last resolved to make Catholic emancipation a reality; on the other, it implied that the agitation for repeal was to be dropped or left in abeyance, while the imperial Parliament endeavoured to find a remedy for the social maladies of Ireland. It is melancholy to reflect that the weakest Government of this century was the only Government since the Union which persistently strove to make the Union a reality, and that its efforts in this direction were the main source of its weakness.

The spirit of the Irish Executive was changed with the change in its *personnel*. Mulgrave and Morpeth, Perrin and O'Loghlen, were all of them resolved to govern justly, firmly, and impartially, and to break with the old Ascendency party; and to this end it was deemed expedient to appoint a new under-secretary at the Castle. The man chosen for this part was Thomas Drummond,[1] an officer of engineers, who, in his professional capacity, had visited all parts of Ireland in connection with the ordnance survey, and, as private secretary to Lord Althorp, had impressed

[1] Drummond, who was born in Edinburgh in 1797, was the son of James Drummond, a Writer to the Signet, and a landed proprietor in Perthshire, known to his contemporaries as "the last Laird of Comrie." His mother was Elizabeth, daughter of James Somers, an Edinburgh gentleman. Mrs. Drummond was a woman of great beauty and rare intelligence. Thomas Drummond was educated in Scotland, and early gave proofs of his exceptional powers of mind. In 1813 he obtained from Lord Mulgrave, then Master-General of the Ordnance, a cadetship at Woolwich, and in 1815 he entered the Royal Engineers. For several years he was employed on the ordnance survey, both in Scotland and Ireland, and his inventive genius and aptitude for scientific studies were shown by his invention, during this period, of the heliostat and of the lime-light, which was long called by his name. He became private secretary to Lord Althorp in 1833, his services on the boundary commission of the Reform Bill having brought him into political notice.

that statesman with unbounded confidence in his integrity, firmness, and sagacity. Drummond had been employed by the Government to make the calculations on which the scheme for the redistribution of seats in the Reform Act was based, and in the discharge of this delicate and difficult task he had given an example of his rare industry and capacity. Perrin insisted urgently on the necessity of a change in the office of under-secretary. "My lord," he said to Lord Mulgrave, "he will be your right eye, and if we have to spend time in plucking old beams out of it, your Government will not go straight." Sir William Gosset, the former under-secretary, was accordingly appointed to the post of serjeant-at-arms, and, on the recommendation of Lord Spencer (formerly Althorp), Drummond was appointed in his place. "A dandified coxcomb," Drummond was called by the organs of the Ascendency. No two words in the language could be more thoroughly misapplied. Drummond had been trained in the service of the most unselfish, the most unpretending, the most conscientious, and not the least sagacious of English statesmen. He was himself a man of rare simplicity of character, whose native equity of temper was never disturbed by faction or clamour, whose courage nothing could daunt, whose judgment nothing could disturb, and whose industry and devotion to duty were such that in five years his life was sacrificed to the service of his adopted country.

The history of Ireland under the Melbourne Government may be summarised in a sentence. It was a history of legislative weakness and failure, of administrative firmness and success. The latter proposition may doubtless be questioned. The administration of Lord Mulgrave, for which Drummond was primarily and mainly responsible, was impugned in the House of Lords. It was not acceptable to the Ascendency party. Orangemen and Protestant magnates were not accustomed to find themselves treated as equal, and no more than equal, to their Catholic fellow-countrymen. They regarded a Government which treated Catholics and Protestants in Ireland as equal before the law, and enforced the law firmly and impartially against

both, as little better than an organised anarchy. The House of Lords was in sympathy with them, and to this tribunal they appealed. In the session of 1839, Lord Roden, the grand master of the Orange Society, moved for and obtained a committee of inquiry into the state of Ireland since 1835 with respect to the commission of crime. Before this committee Drummond, who was examined at great length, triumphantly vindicated the principles on which Lord Mulgrave's administration of Irish affairs was conducted. The committee made no report, but contented itself with publishing two bulky volumes of the evidence taken before it. In the House of Commons the same subject was debated at great length, and resolutions were passed approving of the principles of the Executive in Ireland. If further proof were needed of the wisdom, firmness, and humanity of Drummond's administration, it would be found in the circumstance that from 1835 to 1841 Ireland, although torn and racked by grievances for which Parliament could find no adequate remedy, and by dissensions and crimes which those grievances engendered, was governed without the aid of coercive legislation, and that Drummond is the one ruler of Ireland during the past century whose memory is cherished with affectionate regard by all classes of the Irish people. To the day of her death his widow frequently received tokens of regard from Irishmen and Irishwomen whom she had never personally known, but by whom the name of her husband was revered as that of the man who first taught Irishmen to respect the Government by showing that the Government could be just to them. Drummond was no time-serving ruler who strove to curry favour with the populace. He could and did rebuke O'Connell on occasion as fearlessly and as sternly as he rebuked a turbulent Orangeman. Irishmen respected and loved him not because he flattered them, but because he ruled them quietly, firmly, temperately, and impartially. In the whole history of Ireland there is no more significant example of the sedative influence of impartial justice and kindly firmness on the turbulent and tormented spirit of Irish patriotism.

Drummond, however, stood alone. He had only five years to work in, for he died in 1840, and neither the Parliament at Westminster nor the ministers in Downing Street could help him much. The position of the Melbourne administration throughout the whole of its tenure of office was unique in the modern history of English politics. The party which supported Melbourne in the House of Commons consisted, after the general election of 1834–5, of 294 members, of whom forty-four were devoted followers of O'Connell, and twenty-two were nominal Whigs returned for Irish constituencies, who, though not repealers, acted mainly with O'Connell. The Tories numbered 264, so that without O'Connell and his followers Melbourne had no majority, and the balance of power rested absolutely with the fifty or sixty members whom O'Connell could on occasion muster to his standard. In other words, O'Connell was virtually the master of the ministry. This was the secret at once of the vitality and of the weakness of the Melbourne Government. It could not be overthrown so long as O'Connell supported it; it could not act vigorously, because the support of O'Connell impaired its moral influence in the country and its Parliamentary authority at Westminster. It was confronted with a permanent majority in the House of Lords, which was led with immense authority and relentless antagonism by the Duke of Wellington and Lord Lyndhurst. In the House of Commons the opposition was led with consummate skill by Sir Robert Peel, whom the country was fast learning to recognise as its most capable statesman. The great Reform impulse of 1832 was well-nigh spent. Melbourne himself was an easy-going aristocrat, whimsical and reserved in private life, ostentatiously indolent in public, nonchalant and indifferent in council, and too sceptical by nature to care much about progress and radical reform. About Ireland he probably did care; but, sitting in the House of Lords and daily compelled to realise the power of the compact and determined majority which rejected his measures and denounced his policy, he seemed willing enough to leave the conduct of Irish administration in the capable

hands of Mulgrave and Morpeth, and above all of Drummond.

The three great Acts of the Melbourne administration as regards Ireland were the final settlement of the tithe question, the reform of the Irish municipal corporations, and the establishment of the Irish poor law. The tithe question had already been drained to its dregs. Both parties were anxious for a settlement, and even the Ascendency and the Orangemen were beginning to see that until it was settled there could be no peace in Ireland. The Government of Lord Melbourne was now to try its hand. It would probably have encountered no serious difficulty if it had been free to adopt the measure introduced by Sir Henry Hardinge, Peel's chief secretary for Ireland, and to press it forward in both Houses of Parliament. The Tory party could not consistently have rejected a measure framed by its own leaders, and designed as a final settlement of a question which all parties were now anxious to see settled. But the Melbourne administration was deeply and irrevocably committed to the principle of appropriation. It was this which had "upset the coach" in 1834, when the "Derby dilly," carrying its three insides, had set forth on its independent career. It was this, again, which had consolidated the majority to whose attacks Sir Robert Peel had, after a gallant struggle, succumbed in the spring of 1835. The Tithe Bill of the Melbourne Government must therefore involve the principle of appropriation. In the discussion of Peel's abortive Bill, O'Connell had declared that no measure of Church reform would satisfy the Irish people unless it contained a proposal for appropriation. "That one word," he said, "was worth the whole Bill." That one word had sufficed to overthrow Peel; and that one word, as the event showed, was destined to be the stumbling-block, and literally the scandal, of the Melbourne administration.

However, in 1835 the conscience of the Whigs was still tender. They could not refuse to pronounce in office the one word that had brought them there, and the Tithe Bill introduced by Lord Morpeth, the chief secretary, con-

tained an appropriation clause, or, to speak more strictly, a series of provisions for the appropriation of the surplus revenues of the Irish Church, estimated at £58,000, "to the promotion of religious and moral education in Ireland." In other respects the Bill did not materially differ from that introduced by Hardinge, just as Hardinge's Bill did not materially differ from that introduced by Littleton in the previous year. Morpeth, following the example of Hardinge, and differing in this respect from Littleton, decided to abandon the hope of recovering a sum of £637,000 advanced to the distressed clergy of the Irish Protestant Church out of the million granted by Parliament for that purpose in 1833.

Peel, as leader of the opposition, did not dissent in principle from the commutation clauses of Morpeth's Bill, though he endeavoured to persuade the House of Commons to sever them from the appropriation clauses, in order that the latter might be rejected. In this endeavour he was not successful in the House of Commons. But the House of Lords came to his aid; in committee the appropriation clauses were rejected, and the Bill was abandoned. The immediate consequence of its abandonment was that the Government were legally bound to proceed against Irish clergymen who could obtain no tithe from their parishioners, for the discharge of the liabilities incurred by them under the grants of 1833. The clergy could not pay, of course, and, not being Irish tenants, they were not required to pay, whether they could or not. The ministers introduced and passed a Bill authorising them to suspend the suits which they were legally bound to institute against defaulting incumbents, and this was the only step taken towards the settlement of the tithe question in 1835.

To the historian of Ireland in the present century the trite reflection embodied in the quotation, *Delirant reges, plectuntur Achivi*, must be for ever recurring. We are now dealing with the third attempt made in the course of fifteen months to settle the tithe question. The first was frustrated because the Tory party and the House of Lords had not yet been educated to the point of recognising the

necessity of a settlement. This enlightenment came with office, however, and Peel found himself compelled to ask the House of Commons to do that which his colleagues a few short months before had induced the House of Lords not to do. But by this time the Whigs were ready to return to office, and Ireland furnished the pretext. The appropriation clause was, for reasons which Lord John Russell himself expounded, an admirable question for combining together the several fractions of the Whig party in the House of Commons. But it was a question which necessarily and inevitably brought the House of Commons into collision with the House of Lords. The Whig leaders must have known perfectly well that, when they chose this question as the battle-ground of party, they were putting an invincible weapon into the hands of the House of Lords. They ought to have known equally well that the dominant feeling of Great Britain was rather with the House of Lords than with the House of Commons on the question of appropriation. All parties were willing, and even anxious, in 1835 to settle the tithe difficulty by a measure of commutation. But the Whigs could not so settle it. Accordingly, Ireland was left for two more years to all the torment and turmoil of sectarian and agrarian warfare. In the end, as we shall see, the appropriation clause was abandoned by the Whigs. If they could have abandoned it in 1835, or, still better, if they had never occupied, in their assaults on Peel, ground which they could not themselves defend in turn against their assailants, the whole subsequent history of Ireland might have taken a different and a far happier course. The Irish gained nothing by the Whigs' attachment to the appropriation clause. What they lost is incalculable. The prolongation of the tithe war was the smallest part of the mischief. The real calamity was that the Irish people and their leaders were reluctantly driven to the conclusion that an English party and an English ministry, really anxious to do their best for Ireland, could not disentangle themselves from the fatal destiny which has so often compelled English parties and their leaders to play the game of politics with the happiness of Ireland for a stake.

The rejection of the Tithe Bill at once put new spirit into the Ascendency party. Tithes, it is true, could no longer be collected by ordinary process. The procedure was costly, difficult, and dangerous, and no one would buy goods or cattle seized under distraint for the payment of "the iniquitous impost." Besides this, the Lord-Lieutenant, acting under the inspiration of Drummond, had refused to allow troops and police to be present at tithe sales, or to interfere at all save in the case of actual breach of the peace. A lay association, however, formed under the auspices of the Orange magnates, and presided over by Lords Roden, Enniskillen, and Bandon, now came to the assistance of the clergy. Instead of proceeding by distraint, this association hit upon the expedient of applying to the Court of Exchequer for power to recover tithes, and in December 1835 "more than 600 exchequer bills, for sums varying from £10 to 1s. 9d., had been filed, process being served on the peasants by placarding the original bills in places specified by the court, and sending copies through the post. But the peasants disregarded the bills, and treated the orders of the court with contempt."[1] The association then had recourse to an obsolete weapon preserved in the well-furnished armoury of Irish judicial procedure, and obtained writs of rebellion against the defaulters. The effect of a writ of rebellion was to empower a commissioner of rebellion, appointed by the court, to call upon the sheriff, police, and military to arrest the defaulter named in the writ and detain him in prison until he paid. Drummond, however, gave no instructions to the local authorities, and the commissioner of rebellion generally found, when he applied to them for support, that they declined to act without authority from the Castle. Accordingly, the procedure by writs of rebellion was for the most part abortive. The conduct of Drummond was impugned in Parliament, and some of the local authorities were reprimanded by the courts for declining to assist in the service of the writs; but Sheil, supported by the Irish law officers, contended that the process was obsolete and tyrannous, and that the decision of the Court of Exchequer, in

[1] Barry O'Brien, *ut sup.*, vol. i. p. 502.

holding the police liable for not obeying the mandates of the commissioners, was unsound in law. O'Loghlen, the Irish solicitor-general, stated that the process was described as obsolete in 1770, and cited an opinion formerly given by Joy, the chief baron of the exchequer, who in his judicial capacity had maintained the legality of the writs, to the effect that the Irish police were never bound to act save under the directions of a magistrate, or in cases of actual breach of the peace. Thus Drummond's action was vindicated; but Ireland was still tormented by a state of things which, by placing the law in opposition to justice and good order, the executive in opposition to the judicial body, and one branch of the imperial legislature in opposition to the other, inflamed the antagonism between the two great sections of Irish society.

In 1836 the Tithe Bill was again passed by the House of Commons, and again rejected by the House of Lords. The Whigs were still fatally committed to the appropriation clause, though it was abundantly evident that public opinion in England would not support them in an attempt to overcome the resistance of the House of Lords to this portion of their measure. O'Connell still supported them, however, and his support, though it tended to keep Ireland quiet, exposed them to the most virulent attacks in England. Lord Mulgrave was denounced by a great English journal as the "stage-struck king of shreds and patches, the frivolous novelist, the servile revolutionist, the self-degraded messmate of Daniel O'Connell." But the denunciations of the Ascendency did not shake the alliance of O'Connell with the Government, though O'Connell was beginning to see that it might become necessary for him to take independent action in Ireland. As early as 1835 he had endeavoured to rouse the democratic feeling of the north of England against the House of Lords. His denunciations were vehement, and were received with much applause by the audiences he addressed, but they produced little political effect. In 1836, after the rejection of the Irish Municipal Bill by the House of Lords, O'Connell again attempted to revive his crusade by the issue of a manifesto "To the

people of England," the object of which, according to the contemporary annalist, "he declared to be to rouse the inhabitants of Britain to show their gratitude to Ireland for the aid which he had lent them in carrying the Reform Act, by destroying the character and rights of the House of Lords."[1] This manifesto, however, had little effect; it embarrassed the Government without advancing the cause of O'Connell and his countrymen.[2] In Ireland itself the popular leaders were more successful. They began to realise the increasing weakness of the Whig Government in England, and to prepare the ground for a renewal of popular agitation in Ireland. With this object, they formed a committee in Dublin for the purpose of organising meetings and petitioning Parliament for the redress of Irish grievances. The committee soon developed into a "National Association," with O'Connell at its head. This association was the apostolical successor of the Catholic Association, suppressed in 1829. It had its local branches and its contributions under the name of "justice rent." Its main objects were the promotion of municipal and tithe reform, and the superintendence—or, as its critics declared, the manipulation—of elections in the popular interest. The ministers avowed in Parliament that they viewed the establishment of this association with regret and concern; but the alliance of O'Connell and his followers was necessary to their existence, and no attempt was made either to suppress the association or to restrain its activity. It was, indeed, the policy of Drummond and his colleagues

[1] *Annual Register*, 1836, p. 229.

[2] It was about this period that Althorp (now Lord Spencer) wrote to Brougham on June 8, 1836: "I do not at all know what they ought to do about O'Connell. The present state of things is very disagreeable, undoubtedly, but I am not sure that they would be utterly destroyed by uniting with him more closely" (Althorp Papers). It was probable that this was the view of the Government, though the well-known sentiments of the king must have been an insurmountable obstacle to the offer of public employment to the Irish leader. It seems, however, to be certain that, shortly before the death of the king, in 1837, the offer was actually made and accepted, though it was, for some unexplained reason, immediately withdrawn. The story is told by Mr. John Ball, in a very interesting article on O'Connell, in *Macmillan's Magazine* for July 1873.

in the Irish Government to govern Ireland firmly, but without resorting to exceptional measures of repression.

The toleration of this new association was all the more galling to the Ascendency party because, in the same year, a successful attack had been made in Parliament by the English Radicals and Irish Catholics on the Orange lodges of the United Kingdom. The Orange Association, founded in the last century, had escaped or defied the measures passed against political associations in Ireland in the height of the struggle for Catholic Emancipation. In 1835–6 it had become very powerful in Ireland, and had extended its influence throughout the United Kingdom, and even to the Colonies. It had many lodges in the army. The Duke of Cumberland was grand master, and Perceval, a member of Parliament, who had held office under Peel in 1834, was grand treasurer. A certain Colonel Fairman, who had been very active in establishing regimental lodges, and was roundly accused, before committees of the House of Commons, of practices directly treasonable, was deputy grand secretary. The proceedings of the association were investigated by the committees just mentioned, and the result of the inquiries was to disclose the existence of a widespread conspiracy for treasonable purposes, including a project—fomented by the feather-headed Colonel Fairman, but perhaps never very seriously entertained—for changing the succession to the crown in favour of the Duke of Cumberland. What is certain is that, though the Duke of York had withdrawn from the grand mastership of the association on being informed of its illegality, and had, as commander-in-chief, forbidden the formation of Orange lodges in the army, his brother, the Duke of Cumberland, who succeeded him in the grand mastership, had signed warrants for the formation of such lodges. Fairman's share in the conspiracy was never completely elucidated. He refused to produce the records of the society before a committee of the House of Commons, and managed to evade an order of the House, which directed the serjeant-at-arms to apprehend him and seize the book. But enough was discovered to establish the serious character of the

conspiracy. A motion was made by Hume for an address to the Crown, praying for the removal of every judge, privy councillor, lord-lieutenant, magistrate, militia officer, inspector or constable who attended the meeting of any Orange lodge, any Ribbon lodge, or any political club. This sweeping and impracticable motion was successfully resisted by Lord John Russell, who invited the House to "leave it to the king to take such measures as he might deem advisable for the effectual discouragement of Orange lodges, and generally of all political societies." This proved sufficient. The Orangemen, now thoroughly frightened, undertook to comply with the wishes of the Crown. The Duke of Cumberland withdrew from the association. "The Orange lodges were everywhere broken up, and the formidable organisation, which threatened the peace of every portion of the empire, was terminated."[1]

In 1837 the Tithe Bill was again introduced, with a modified and attenuated appropriation clause. To speak more strictly, the appropriation clause was abandoned, and in lieu of it the Government proposed to impose a tax of ten per cent. on the clergy for educational purposes. O'Connell was fain to accept the Bill as an instalment, and as representing the utmost that could be obtained in the existing state of public opinion in England. But the progress of the Bill through Parliament was arrested by the death of the king, and by the dissolution which followed. In the general elections of 1837 the Whigs and Radicals, combined with the followers of O'Connell, still retained a working majority; but the ministry, already weakened by the miscarriage of its policy in various quarters, was now virtually at the mercy of its opponents. It decided finally to abandon the appropriation clause in return for a concession made by the opposition respecting the Irish municipal Reform Bill. The compromise did not secure the passage of the latter measure, though it at last permitted the tithe question to be settled. An attempt was indeed made by the opposition to rescind the resolution concerning appropriation which Russell had carried in 1834 against

[1] Walpole, "History of England," vol. iii. p. 344.

the Government of Peel. But to this humiliation the Whigs declined to submit. They defeated the motion of Sir Thomas Acland, which proposed to rescind the famous resolution, by a majority of 317 to 298; but, alarmed by the growing strength of the opposition, they abandoned the principle of appropriation altogether. They even resisted and defeated, with the aid of O'Connell himself, a last attempt made by Ward, the first Parliamentary sponsor of appropriation, to restore its principle to the amended Tithe Bill, which was purely and simply a commutation measure hardly distinguishable from that introduced by Hardinge in 1835. In this shape the Bill at length passed, the rate of commutation being fixed at a rent-charge of 75 per cent. of the existing tithe composition. Thus at last a controversy which had inflamed and tormented Ireland for seven miserable years was settled in 1838, on terms which were obtainable at least as early as 1835, if English parties could have laid aside their antagonisms.

The question of municipal reform had still to wait two years longer for a settlement. One of the first measures introduced by the Melbourne Government, when it succeeded Peel in 1835, was a Bill for the reform of municipal corporations in England. This Bill was supported by O'Connell, who expressed his regret that its provisions were not extended to Ireland. The ministers undertook to supply this omission, and a Bill for the reform of municipal corporations in Ireland was introduced by Perrin just before the close of the session. This Bill was dropped, however, though it passed through its several stages in the House of Commons without difficulty. A second Bill was introduced by O'Loghlen at the beginning of the next session, a royal commission having in the meanwhile reported very unfavourably concerning the condition of the existing corporations. These close corporations consisted almost exclusively of Protestants, not more than two hundred Catholics being admitted to their freedom, although they had been nominally open to Catholics since 1793. They were thus strongholds of the Ascendency, and it was acknowledged on all hands that they were addicted to the

most shameless plunder and peculation. The administration of justice by these close and corrupt corporations was on a par with their executive malversation, and, indeed, so indefensible was the whole system that Peel, as leader of the opposition, frankly declined to defend it. The ministerial measure of reform was conceived on liberal lines. The opposition did not directly oppose the Bill. They admitted that the existing corporations of Ireland were corrupt, incapable, and indefensible. But they contended that the true remedy was not to assimilate the municipal system of Ireland to that of England—a change for which Ireland was not ripe, and which would have the effect of converting the municipalities into "normal schools of political agitation"—but to abolish the existing corporations, and to entrust the government of towns to commissioners and magistrates appointed by the Crown. With this object, Lord Francis Egerton moved, on going into committee, that it should be an instruction to the committee to make provision for the abolition of corporations in Ireland, and for such arrangements as might be necessary on their abolition for securing the efficient and impartial administration of justice, and the peace and good government of cities and towns in Ireland. This instruction was rejected by a large majority, and the ministerial measure was passed in the House of Commons. In the Lords, however, the instruction rejected by the Commons was carried, and the Bill was transformed, chiefly by the influence of Lord Lyndhurst, into a measure for the abolition of municipal institutions in Ireland, and the substitution of Crown commissioners. The Government declined to accept this change, and the Bill was dropped for the session.

It is unnecessary, and would be tedious, to follow year by year the discussions and struggles which arose over this question of Irish municipal reform. In 1837 each party occupied its own ground, and, neither being ready to make concessions, the question remained *in statu quo*. In 1838 a compromise, intended to include both the tithe and the corporation questions, was arranged between Peel and

Russell. Peel was now willing to grant corporations to the larger towns at once, and to allow the electors of the smaller towns to apply for a charter of incorporation to the Lord-Lieutenant, provided that in all cases the municipal franchise was fixed at £10. On this point the compromise broke down. The supporters of the Government, irritated at its surrender on the tithe question, determined to make a stand on that of the municipal franchise, and for two years longer the two Houses of Parliament remained at variance, and the municipal question remained unsettled. At last, in 1840, the Government brought in an emasculated Bill, which was accepted by the opposition in the House of Commons, and, with some additional reactionary amendments, by Lyndhurst and the Ascendency party in the Lords. Practically the opposition had triumphed, and the Bill passed in 1840 might probably have passed four or five years earlier if the ministry had then been willing to make the concessions which were ultimately extorted from them. O'Connell was still faithful to his alliance with the Whigs, bitterly as its results had disappointed him. But he had already begun to see that the Melbourne Goverment was doomed, and in anticipation of its downfall he had, in 1839, founded a new political society, to which he had given the curiously infelicitous name of the "Precursor Society"—a name which was intended to imply that, unless equal justice was conceded by the Imperial Parliament, the society was only the "precursor" to a demand for self-government. This society was the germ of the second repeal movement; but it was only when Peel returned to power in 1841 that the latter movement became serious.

The third great Irish measure of the Melbourne administration was the poor law. The poverty of Ireland was one of the chief sources of its misery and discontent; but until the Poor Relief Act was passed in 1838, there was no organised system of public charity, and the opinions of those who knew Ireland best differed widely as to the better mode of dealing with the problem.[1] A commission had

[1] See "The Reign of Queen Victoria," vol. i. p. 536, "Ireland," by Sir Rowland Blennerhassett.

been appointed by the Government of Lord Grey in 1833 to inquire into the condition of the Irish poor. The report of this commission was appalling in its revelations of Irish misery, and its materials subsequently formed the staple of two of the best books written on Ireland during the last century—those of Gustave De Beaumont and Cornewall Lewis, to which reference has more than once been made in these pages. But it was not favourable to the introduction of the poor law.[1] For this reason it was set aside by the Government, and Mr. (afterwards Sir George) Nicholls, an English poor law commissioner, was sent ove to Ireland to institute further inquiries. Mr. Nicholls's report, which was very hastily produced, fully corroborated the statements of the commission as to the deplorable condition of the Irish poor, and it recommended as a remedy the extension of the principles of the English poor law to Ireland. A Bill was introduced in 1837, but was suspended by the dissolution of Parliament which followed the demise of the Crown. "It proposed the erection in Ireland of one hundred workhouses, where relief and employment should be afforded to the poor, infirm and able-bodied. The whole country was to be divided into unions, the landlords and tenants or occupiers of each union to be rated in equal shares for the support of the poor within the union. The system was to be administered by local boards of guardians, consisting of elected and *ex-officio* members, the former not to exceed one-third of all the guardians chosen, and not to comprise clergymen of any denomination. There was to be no law of settlement, and the local boards of guardians were to be placed under the control of a central authority in Dublin, to consist of commissioners chosen from the poor law commissioners in England."[2] O'Connell endeavoured, without success, to amend the Bill in several particulars. Smith O'Brien contended that the landlords should be required to pay three-fourths of the rates; and Sharman Crawford objected to the omission of a law of settlement, and to the total prohibition of outdoor relief. But the

[1] Barry O'Brien, "Fifty Years of Concessions to Ireland," vol. i. p. 555.
[2] Ibid., p. 557.

Government maintained the Biil as it stood, and the only important amendment was introduced by the House of Lords, at the instance of the Duke of Wellington. Instead of charging the union at large for the maintenance of the poor relieved in the workhouse attached to it, the duke proposed that each union should be subdivided into electoral districts, each district to be chargeable with its own poor, in order that every parish should bear its own burdens. The Bill passed in July 1838, and before the end of 1840 127 unions were declared, leaving only three to be formed, and fourteen workhouses were opened for the reception of paupers. "On the whole, the operation of the poor law must be pronounced to have been successful. There was at once a perceptible diminution of the crowds of beggars which used to be seen on the roads near the villages and towns, and whose numbers and wild and withered appearance have been so often described in the writings of men who travelled in Ireland. Those who continued to think it might have been better had no system of legal charity been adopted, and who lived through the years from 1846 to 1852, must have seen grave reasons to modify their opinions. Frightful as were the sufferings of the people during that terrible period, most assuredly they would have been very much worse had there been no poor law in existence."[1] It may, however, still be a question whether Irishmen dealing with their own social problems would have solved them in this particular manner. The report of a commission, composed of men who knew Ireland well, was set aside, and that of a Scotchman, who did not know Ireland at all, adopted; the suggestions and criticism of Irish members of Parliament were uniformly disregarded; and the working of the whole system was placed for several years exclusively in the hands of English officials. It is true that the Irish poor law was never so unpopular in Ireland as the corresponding measure originally was in England; but it must be acknowledged that the imperial

[1] "The Reign of Queen Victoria," vol. i. p. 539. See also the pages which follow for an account of the further working and development of the Irish poor law, and its condition at the present time.

Parliament and Government did little or nothing to make it popular.

It now only remains to consider briefly the social condition of Ireland from 1835 to 1841, and the mode of dealing with it adopted by the Melbourne Government under the inspiration of Thomas Drummond. Of the condition of social order as affected by the prolonged struggle over the payment of tithes, and by the extreme misery of the people, enough, perhaps, has been said in the foregoing pages; but those who wish to see the causes of this deplorable condition set forth, not by an Irish agitator, but by an English member of Parliament, who, almost alone in his day, looked at Irish affairs with unprejudiced eyes, should consult the remarkable letter written in 1834 to Lord Melbourne by Mr. Poulett Scrope, an English landlord and a most moderate politician, who sat in the House of Commons for many years as member for Stroud.[1] A redeeming feature in the social history of the time was the temperance crusade initiated in 1838 by Theobald Mathew, a Franciscan friar, who had spent many years in devoted work among the poor of the city of Cork. Father Mathew was an unselfish and pure-minded enthusiast, with an unrivalled gift for influencing his countrymen, both Catholic and Protestant. His advocacy of temperance was hardly less successful among the Orange Protestants of Ulster than among the Catholics of the south and west. He traversed Ireland in the height of the repeal agitation, and for a time he fused all sects and parties together in an enthusiastic effort to stay the plague of intemperance. His preaching was marvellously successful, and in a few years he had persuaded two millions of his countrymen to forswear the use of alcoholic drinks. But his influence was unhappily transient so far as Ireland itself was concerned. The Ireland which O'Connell ruled and Father Mathew regenerated disappeared in the famine; but the fugitive

[1] See extracts from this letter given in Barry O'Brien, "Irish Wrongs and English Remedies," p. 131. It is a strange satire on the apathy and prejudice of the imperial Parliament that this letter should have been reprinted in 1844 and addressed to Sir Robert Peel. The report of the Devon Commission and the history of the famine are among the proofs of its unanswerable force.

Irish carried with them to the United States and the British Colonies the principles which Father Mathew had taught and the restraints he had imposed, and to this day temperance societies which bear his name are both numerous and influential among the Irish beyond the seas. In Ireland itself, when the country had recovered from the famine, a generation had arisen which knew Father Mathew only by tradition, and had never felt the magic of his personal presence.

The domestic administration of Ireland by Thomas Drummond from 1835 to 1840 is a subject which demands a volume to itself. A brief account of its leading features can alone be given here. Drummond was no demagogue. He was a scientific administrator, cool in judgment, resolute in action, temperate, conciliatory, politic, yet withal inspired with an unquenchable enthusiasm of humanity. He may well be called incomparable, for no ruler of Ireland has ever governed it so justly and yet so firmly, and no man, not born in Ireland nor identified with the national feelings of the people, has ever inspired Irishmen with so passionate and abiding an attachment. Drummond's success was due partly, perhaps mainly, to his own native gifts, but assuredly in part also to his frank association with O'Connell. He knew Ireland well, as well as many Irishmen; his scientific training and his temperament, at once ardent and cool, enabled him to see through the mists of passion and prejudice which at times clouded the eyes of popular chiefs. When he went to Ireland in 1835, the tithe war was at its height, Ribbonism was rife, faction fights were common, the peasantry were exasperated by two years of coercion, and the Protestants irritated by the threatened loss of their ascendency. He was armed with a modified and facultative coercion Act, but this measure was never put in force. Drummond seems to have thought with Cavour that "any one can govern with a state of siege." We have seen how the Orange conspiracy of the time was dealt with by the House of Commons, but, though this had strengthened his hands, Drummond had still to deal with manifestations of the Orange temper in Ireland. One of his first acts was to

reorganise the police, and for this purpose a Bill was passed in 1836 which enabled Drummond to place the constabulary on the footing of efficiency, discipline, and loyalty which it has maintained to the present day. The force was freely opened to Catholics, having previously been almost exclusively recruited from the Protestant population. The magistracy was also reorganised, impartial stipendiaries being substituted in many cases for the unpaid representatives of the Ascendency. Thus before he had been in office two years Drummond had reformed the police, purified the magistracy, rebuked and controlled the Orange temper, and suppressed those faction fights which the Irish peasantry had learnt to regard as a sort of privileged pastime. With Ribbonism and agrarian disorder he grappled vigorously, though the social condition of Ireland was so deplorable that its permanent cure was beyond the reach of mere administrative skill. It must suffice here to refer to two public documents which give the most authentic account of Drummond's administrative methods, and of his mature views as to the permanent economical regeneration of Ireland. The first of these is the evidence given before the committee already mentioned as having been appointed by the House of Lords in 1839, on the motion of Earl Roden. The second is the report of the commission on Irish railways, to the preparation of which Drummond devoted so much energy of mind and body that he never recovered from the strain. The report was concluded in 1838; in 1839 Drummond, with health impaired by his incessant labours, and still bearing the whole burden of administration in Ireland, was placed on his defence before the Roden committee. Early in 1840 his health finally gave way, and he died on April 15, a willing sacrifice, but withal an irreparable loss to the cause of Ireland and the empire. The railway report was never acted upon, though the Government was most anxious to carry out the scheme. Peel opposed it on economic grounds, and, in truth, its principles were hard to reconcile with the doctrine of *laisser faire* as understood and applied by the reformed Parliament. The true explanation of the failure of Drummond's

comprehensive and statesmanlike proposals to commend themselves to the judgment of Parliament is probably to be found in the following extract from the report of the railway commission:—"Ireland, though for years past a subject of anxious attention and discussion in public, is really very little known to the British people, and the disadvantage to both countries arising from that circumstance is much greater than is generally supposed."

With the death of Drummond the history of Ireland under the Melbourne Government may be closed. Lord Melbourne remained in office until the middle of 1841, but for the last few months of its existence his ministry was discredited and powerless. This chapter may be fitly closed with a brief account of what is, perhaps, the most striking episode of Drummond's administrative career. In April 1838 the magistrates of Tipperary formally addressed the Lord-Lieutenant on the occasion of a peculiarly atrocious agrarian crime, which had just been committed in that county. They insisted in the strongest terms on the disordered state of society in the district where the crime was committed; declared that neither life nor property was safe in it—that juries were intimidated, and could only be adequately protected by "resorting to the old and wholesome practice of challenging, which, properly acted upon, would be productive of the best effects;" and concluded by calling upon the Lord-Lieutenant to "put in force the strongest powers which the laws of the land permit," and to apply to Parliament for further powers for dealing with the unlicensed possession of arms. This memorial was signed by Lords Glengall and Lismore, and thirty other magistrates of the county of Tipperary. Drummond promptly answered it in a letter addressed to Lord Donoughmore, the Lord-Lieutenant of the county. "His excellency," he said, "has heard with the deepest concern of the lamentable occurrence to which the magistrates have called his attention, and has not failed to direct the most prompt and vigorous measures to be adopted with a view to bring to justice the perpetrators of so atrocious an act." As to the more general allegations

of the magistrates, he stated that they were so much at variance with the official information in the possession of the Government, that the Lord-Lieutenant considered it necessary "to institute an immediate and careful inquiry, with a view to ascertain in the clearest manner the actual extent of the evils which the magistrates represent to exist, and, so far as may be possible, the immediate causes to which they may be attributed." The results of this inquiry were communicated to the Tipperary magistrates, in a letter addressed to Lord Donoughmore a few weeks later. In this letter the allegations of the memorialists were traversed one by one, and were shown to be at variance with the actual facts of the case, as exhibited in judicial and criminal statistics of unimpeachable authority. "His Excellency," said the letter, "has no reason for believing that the recurrence from time to time of serious outrages in the county of Tipperary is justly to be ascribed to the existing state of the law, or the manner in which it is administered. The Government has been at all times ready to afford the utmost aid in its power to suppress disturbance and crime; and its efforts have been successful, so far as regards open violation of the law. Faction fights and riots at fairs, which were generally of a very ferocious character, and the fruitful source of much subsequent crime, have been to a very great degree suppressed, though heretofore most commonly suffered to pass unchecked and unpunished; but there are certain classes of crime originating in other causes, which are much more difficult of repression. The utmost exertion of vigilance and precaution cannot always effectually guard against them; and it becomes of importance to consider the causes which have led to a state of society so much to be deplored, with a view to ascertain whether any corrective means are in the immediate power of the Government or the legislature." The condition of the cottier class in Ireland is then briefly examined, stress being laid on the significant fact that the number of ejectments in Tipperary in 1837 was not less than double the number in 1833. "The deficiency of a demand for labour, and the want as yet of any legal

provision against utter destitution, leave this humble class, when ejected, without any certain protection against actual destitution. *Hence the wholesale expulsion of cottier tenants is unfortunately found, with the great body of the people, to enlist the strongest feelings—those of self-preservation—on the side even of guilt, in vindication of what they falsely assume to be their rights; and hence a sympathy for persons charged with crimes, supposed to have arisen from those causes, is still found a lamentable exception to that increased general respect for the laws which has of late years been remarked with satisfaction by those concerned in the administration of justice.* PROPERTY HAS ITS DUTIES AS WELL AS ITS RIGHTS. *To the neglect of those duties in times past is mainly to be ascribed that diseased state of society in which such crimes take their rise; and it is not in the enactment or enforcement of statutes of extraordinary severity, but chiefly in the better and more faithful performance of those duties, and the more enlightened and humane exercise of those rights, that a permanent remedy for such disorders is to be sought.*" This was language which the magistrates and landlords of Ireland were quite unaccustomed to hear from Dublin Castle. It offended them very much, and disconcerted them even more. Lord Donoughmore declined to publish the letter, and it was not made public until it was laid on the table of the House of Commons, in pursuance of a motion for its production made by Joseph Hume. Before the Roden committee, Lord Donoughmore was asked to explain why he was unwilling to make the letter public. "It was so worded," he said, "that it threw the blame upon the landlords of having been the authors of the outrages. That was the impression upon my mind, and I did not wish it published. . . . The part of this answer to which I particularly objected was this—'Property has its duties as well as its rights. To the neglect of those duties in times past is mainly to be ascribed that diseased state of society in which such crimes take their rise.'"

Well might Gustave De Beaumont say that the curse of Ireland was *une mauvaise aristocratie*. That aristocracy

was soon to give a further proof of its temper. On January 1, 1839, Lord Norbury, a popular landlord in the King's County, was shot dead in his own grounds in broad daylight. The murderer was never discovered, nor was the motive of his crime ever revealed. By the landlords and magistrates of Ireland it was attributed indirectly to Drummond's letter to the Tipperary magistrates. Meetings were held, in which peers were found to declare, amid the encouragement and applause of their hearers, that the saying about property having its duties as well as its rights, though innocent enough in itself, was little less than a deliberate and unfeeling insult in the circumstances in which it was uttered. The turmoil was great for a time, and the Irish landlords never forgave Drummond. But the letter to the Tipperary magistrates has made Drummond's name immortal, and marks one of the turning-points in the modern history of Ireland.

III

THE SECOND ADMINISTRATION OF PEEL

WITH the fall of Lord Melbourne, the alliance between the British Administration and O'Connell came to a natural end. Based on the principle of equivalents, it had not proved unfruitful. The Statute-book from 1835 to 1840 was the record of legislation which, though weakened by the threatened hostility of the Tory majority in the House of Lords and by positive opposition in both Houses of Parliament, nevertheless definitely removed some great admitted abuses and moderated others. Far greater, however, than the results of legislation, had been the effects of the official labours of Thomas Drummond at the Irish office, who, as related in the previous chapter, succeeded, undeterred by calumny and misrepresentation, in turning the theoretical equality of Protestant and Catholic, established by the Emancipation Act, into a practical reality, and in governing without constant recourse to special legislation of a repressive character. But with the death of Drummond and the fall of the Melbourne Government, a new chapter was opened. O'Connell at once realised that he must abandon the part of the political broker, ever offering, on behalf of his clients, to suspend the repeal agitation, in return for the grant of particular reforms; and that he must appear once more in the congenial part of the "Liberator" of the oppressed and the champion of the free. As soon, therefore, as the days of the Melbourne Administration were seen to be actually numbered, he decided to refurbish the arms of agitation, and to send round the fiery cross, bidding the Irish people be of good cheer, for that within a short time—a time, indeed, so short that the actual date might almost be named—an Irish Parliament would again be sitting in College Green, with the full

control of all the affairs of the country, and with a foreign policy and a separate exchequer. With these objects the Repeal Association was founded on the ruins of the popular organisations, which under different titles and with varying objects, but always under the supreme control of O'Connell himself, had been kept alive ever since the days of the Catholic Emancipation Act, in order to protect the political interests of the Irish people, according to the circumstances of the hour. The new association had its meeting-place on Burgh Quay, in the city of Dublin, and there O'Connell, with energy unimpaired by the labours of past years and the flight of time, delivered speech upon speech, in which the familiar arguments against the Union were again and again repeated, with an iteration which to the literary critic or the political amateur might perhaps have seemed wearisome, but which drove home with unerring force into the minds of those for whom they were intended, the lesson that the sole cause and origin of all the wrongs, all the misfortunes, and all the poverty of Ireland, was the Union with England, and that this Union he intended to destroy. With practised skill he pointed to the inequalities of the popular representation, which the Reform Act of 1832 had not redressed in Ireland to the same extent as in England; to the manner in which the franchise given with one hand by an extended suffrage was taken away with the other by means of a vexatious system of registration; to the still unreformed system of local government both in town and country; to the abuses of the Church established by law, which only served a fraction of the people, and was the home of nepotism and every form of abuse; and to the ignorance of the Catholic middle classes, produced by the absence of any system of university or intermediate education worthy of the name. With equal eloquence, but with less truth, he mourned over the waning manufactures of the island, and told his audience that it was the Union which had ruined them, ignoring the fact that the causes which were transferring the woollen manufactures of Dublin to Yorkshire had had an exactly similar operation in many a country town in the south and west of England.

At first the results produced by the renewal of agitation in Ireland were but small. So marked had been the effect of the legislation of the Grey and Melbourne Governments, and of the administration of Drummond, that at the general election of 1841 the Whigs, utterly routed in England, were able to find some slight consolation for their defeats at home in their unexpected successes in Ireland. Not more than twelve repealers, even after counting in some doubtful votes, were returned to Parliament; the rest of the representation falling into the hands of one or other of the two great parties, the Whigs being especially fortunate in the larger boroughs. O'Connell himself failed to be elected for the city of Dublin, and, though he was immediately returned by another constituency, the defeat of the great repealer, in the Irish capital, was not without effect on the popular mind. And now it might have seemed as if O'Connell and the cause he represented had failed, and many there were who thought so. But what the voice of the tribune and his followers had not yet effected on the hustings, was to be accomplished by the co-operation of a different agency. The pen of the author appeared, and not for the first time in Irish history, as an equally potent instrument with the tongue of the orator in stirring the popular mind. The writers in the *Nation* newspaper, which was founded in the year 1842, were the successors—however widely different in style and in method—of the literary champions, such as Swift and Lucas, who in former generations had waged war against the Castle or the British Parliament. It would be impossible, even at this interval of time, to deny a high order of literary merit to some of the productions of the band of young men who founded the new organ of public opinion; but, judged by the only standard which it is fair to apply to work intended by the authors for immediate effect, and to produce a definite though transient result at a given moment, it is no flattery to say that the writers of the *Nation* commanded success and, putting aside all political judgments, deserved it. Even if one of their number had not lived to be the chronicler of the events in which he himself once played a

distinguished part, Ireland would, unaided, have accorded a permanent place in her honourable esteem to the memory of Davis, the most eminent of those who, though not desiring the title, came to be known as the party of "Young Ireland," of which, next to Davis, Gavan Duffy and Dillon were the most prominent ornaments.

But the appearance of the *Nation* newspaper, and of the Young Ireland party, was important for another and different set of reasons. It introduced a new element into the ranks of the Irish national party, and O'Connell, from this first appearance, saw that it was so and disliked the movement; as he disliked everything which seemed to clash with his own undivided authority, especially if he recognised the existence of ideas and of thoughts which were not stamped with a mint-mark of his own. "There are in Ireland," says the author of a sketch of the life of Mr. Drummond, "two nations, interfused yet distinct; with separate traditions, and differing in blood, temperament, and religion."[1] The idea of the Young Ireland party was to get the two nations to work together; to recognise, as in the days of the United Irishmen, that they were become one people, and that they had common interests, with a common foe in the British Parliament. But O'Connell was the representative of one, and one only, of these two races. He was the representative of the Catholic Celts "in blood, in temperament, and in religion," with their good qualities and their defects alike, bone of their bone, flesh of their flesh. The unbroken hold which he maintained, from the beginning to the end of his career, on the affections of the Catholic population of the island is the best proof and the highest testimony that he was their natural leader. Though not a fanatic, and with nothing whatever of the religious persecutor in him, his politics were part of his religion, and his religion was part of his politics. If the wrongs of the peasantry afflicted him, it was because, though himself no favourable specimen of the landlord class, the peasantry were mainly Catholics and the landlords were mostly Protestants. The land question,

[1] "Memoir of Thomas Drummond," by John F. McLennan.

which really appealed to his imagination and stirred the depths of his soul, was the ancient expulsion of the old Catholic owners of the soil, and their replacement by Protestants, rather than the existing wrongs of the actual cultivators of the soil, under an uncongenial land system. If he desired a large measure of parliamentary and municipal reform, it was probably far more because he saw in it the only means of enfranchising the Catholic population than from any theoretical liking for popular government. Though in one sense he declined to take his politics from Rome, he desired to see the education of the people, from the university to the village school, subordinated to the bishops of his Church. He had been educated abroad under ecclesiastical influences. As a youth he had seen the horrors of the French Revolution and the downfall of the Church; this image remained stamped on his memory for ever, and he desired that, when his own earthly career was ended, his heart should rest within the precincts of the holy city, on the banks of the Tiber. To a mind so constituted, the order of ideas which had grown up in consequence of the success of the French Revolution was without attraction. For the leaders in the Irish rebellion of 1798 he was never weary of expressing his abhorrence, and he watched with anxious jealousy the slightest signs of any movement of a similar kind in the ranks of his own followers. Such a movement he detected, or thought he detected, in the Young Ireland party, who were more akin to the European revolutionaries in their literary sympathies and tastes, than to the historic type of Irish Catholic patriotism. For the moment, however, he was forced to accept their co-operation—perhaps he realised that their influence had not the same deep roots as his own—and the agitation, fanned by the fiery speeches of the great tribune, and fed by the brilliant journalism of the writers in the *Nation*, sprang at once into a formidable activity and covered the land. The Repeal rent flowed in ever-increasing streams into the exchequer of the association, and fresh recruits were constantly being enrolled under its banner. At the same

time a new and formidable weapon of political controversy was forged. Monster meetings were summoned, which O'Connell dominated by the combined effects of his immense personal prestige and his magnificent voice and presence. Though the enthusiasm was unbounded, perfect order prevailed. The effects of the temperance movement, which O'Connell in his speeches was never weary of claiming as his best ally, were conspicuous at these gatherings. At none of them could any worse outrage be discovered to have taken place than the upsetting of the stall of an aged seller of gingerbread, and yet it was said that at the great meeting on the historic Hill of Tara, the ancient seat of Irish royalty, nearly a quarter of a million of persons were gathered together. At the meeting held at Trim on March 16, O'Connell declared that before long "he would either be in his grave or a freeman"; and, alluding to the battles of the Boyne and of Aughrim, he told his audience they must follow his example in choosing between liberty and death. At Mullingar he assured the people of the practically unanimous support of the Roman Catholic bishops; at Kilkenny he told them the story of a great massacre of the women of that town by the soldiers of Cromwell; at Mullaghmore he alluded to the massacre in old days of the Irish chieftains by the soldiers of Queen Elizabeth; everywhere he ran the risk of reviving the hatred of the Celt for the Saxon, of the Roman Catholic for the Protestant, and of fanning the embers of the old antagonism of race and religion.

These violent and bigoted utterances were noted by others besides the British Government. Outside the ranks of the followers of O'Connell and of the Young Ireland party lay a large mass of floating discontent with the British Government, which found its most prominent adherents among the Presbyterians of the north, whose blood was mainly Scotch, and whose political traditions were not only Whig, but of the Whiggery which looked straight back across two centuries for its traditions to the statesmen of the Commonwealth and to the days of the Solemn League and Covenant. For a Tory adminis-

tration such men could have but scant affection. The grandfathers of the generation then living had been the backbone of the volunteer movement. Some had taken an active part in the movement of the United Irishmen; others, at an earlier epoch in the previous century, had fled across the Atlantic to recruit the armies of Washington, rather than accept the disabilities which Episcopalian exclusiveness had forced on the Presbyterian farmer of the north as well as on the Catholic peasant of the south. In their circles the idea began to be discussed whether, without going as far as O'Connell and repealing the Union, some middle course might not be found, such as had solved the problem of federal union in America, to combine the management of Irish internal affairs by a domestic legislature with the retention by Ireland of her position in the Parliament of the United Kingdom. Among the more cultivated Catholics similar views began to appear, and some of those who joined the Repeal Association, such as Mr. O'Hagan and the Bishop of Killala, did so on the understanding that the establishment of a federal relation with England and Scotland, and not absolute separation, were the objects they had in view. Of the Federalist party, the most eminent was Mr. Sharman Crawford, a landed proprietor in Ulster, a man independent in character as well as in fortune, who at that moment was member for Rochdale. His views were apt to be of a somewhat hard and rigid type, and at the time of the tithe agitation, irritated by the overbearing manner of O'Connell, he had openly charged the great Liberator, at one of his own meetings in Dublin, with having sacrificed the interests of Ireland to the convenience of the Government. He was already popular as the author of a Bill—the first legislative attempt of the kind—for securing to the Irish tenant compensation for the unexhausted improvements he might have placed in the soil, a measure which for some time he had vainly pressed on the attention of Parliament. The distrust established in connection with the tithe question between Crawford and O'Connell—each the type of the people whom he represented, and each

unable to appreciate or understand the other—rendered co-operation between them at this juncture impossible; and Crawford, though invited to do as others had done and join the Repeal Association as a federalist, refused to do so, reserving his own liberty of action both inside and outside Parliament. "I conceive," he said, "that the principles of '82 and those of a federal constitution are so essentially different, that it is impossible for the supporters of each to work together, unless one gives way to the other." [1]

Such were the leaders of public opinion in Ireland. But if O'Connell was the type of the Catholic Celt, and Crawford of the Ulster Liberal Protestant, still more was the minister who had just obtained power in England the incarnation of the prosperous English middle class, to which the Reform Act of 1832 had handed over the control of the empire. At an earlier period of his career he had restored the commercial prosperity of his country by placing the currency on a sound basis; he had done much towards reforming the criminal law; and he was now summoned by the voice of the great majority of his countrymen to renovate the foundations of the prosperity of the kingdom a second time, by large measures of reform, which were to repair the errors of his predecessors, to liberate the sources of wealth, and to spread the streams of wealth over a thankful land. The acquaintance of Peel with Irish affairs had been long and intimate. When Chief Secretary to the Lord-Lieutenant, he had allowed but little interference with his office by the Home Secretary. When Home Secretary he had reduced the Chief Secretary to the Lord-Lieutenant to a mere cypher. He had probed the wounds of which Ireland suffered, and he believed he knew the remedy. To declare, as O'Connell was doing, that the troubles of the country were all owing to the Union, or could be remedied in any way save by the steady process of the maintenance of order and the development of the natural resources of the soil, appeared to him a tale of little meaning, however strong were the

[1] See Gavan Duffy, "Young Ireland," p. 595.

words of the orator in which the lesson was conveyed. Therefore, though O'Connell told vast and acclaiming audiences that 1843 was to be the Repeal year, and must be so without fail, and though the corporation of Dublin—of which O'Connell was in 1842 elected the first Roman Catholic lord mayor—carried a resolution in favour of his views, it was none the less certain that a collision with the British Government must come first, and that unless he was prepared to abide the consequences, and be ready, if necessary, to fight, he had better not provoke the contest. But at the moment the magnitude of the coming storm was probably not foreseen, although Peel was reported to have said that he expected Ireland to be his principal difficulty.[1] He sent Philip, Earl de Grey, to Dublin Castle as Lord-Lieutenant, with Lord Eliot as Chief Secretary, neither of these appointments being regarded as indicating any apprehension of specially troublous times or unusually difficult questions. To assist them in the government, Sugden, the most eminent of English equity barristers, went as Lord Chancellor, and of him it might be truly said that his knowledge of the practice of the English Chancery Courts was only surpassed by his ignorance of Irish affairs. This transition from the old to the new administration at once made itself felt by a number of minor appointments, which gave the key-note to the music of the new *régime*, and by the revival of confidence in the tone of the party of Ascendency.

It is, perhaps, difficult to see how a Government which looked for support to the Ascendency party in Ireland could have adopted any different course without alienating indispensable friends, and being denounced as the betrayer in office of those whose goodwill Peel had cultivated while in opposition. Be that as it may, it is certain that O'Connell found his best arguments in the policy of Lord de Grey and Sugden, and the Repeal movement in consequence grew daily more and more menacing. By the commencement of 1843 it had become evident to Peel that

[1] See "Policy of England towards Ireland," by the late Charles Greville (published anonymously), p. 223.

the British Government was face to face with one of the most formidable of Irish movements, and that, if he was not prepared to act with vigour, the administration would soon slip entirely out of the hands of the representatives of British authority in the island. The language of O'Connell was each day growing bolder, and his denunciation of the "Saxon" louder. His followers began to attend the monster meetings in something approaching military array, and, though it is evident that O'Connell himself never intended to rely on the use of force in order to attain his ends, he probably did believe that he would be able to frighten the Government into granting his terms; his language certainly breathed bayonets and guns, though he intended to use none. His more violent followers indulged in the same ominous language, and also intended their words to be followed at the proper moment by armed action.

Sugden had attempted to strike the Repeal Association by removing from the commission of the peace the names of several gentlemen of good social position, who had either attended or had announced their intention of attending at the monster meetings. The result was that many of the leading Whigs threw up their commissions; that the ranks of the Repeal Association immediately received numerous influential recruits; and that voluntary Courts of Conciliation began to multiply all over the country, with a view of avoiding having recourse to the established courts of local jurisdiction, in which, it was asserted, no honest man would any longer serve.

Meanwhile the agitation on the land question, especially in the south and west, had sprung into renewed activity: the constant handmaid of every political movement, partly nourishing, partly nourished by it, and accompanied, as usual, by hideous outrages and organised intimidation. Neither life nor property was secure. The owner, if resident; the agent, if the owner was an absentee; the farmer who had the courage to resist the mandates of illegal combinations; the cattle and flocks of unpopular persons; the magistrate who did his duty on the bench;—

all alike were in danger. With a view of, in some degree, repressing these disorders, a Bill to regulate the use of arms, continuing and extending the previously existing legislation on the subject, was introduced into the House of Commons by Lord Eliot on May 29, 1843.[1] Owing to the absence in Ireland of O'Connell and his principal followers, the opposition to this measure fell chiefly into the hands of the Irish Whigs. Sharman Crawford himself moved the rejection. The debate which followed is the type of those with which the political world has long had a melancholy familiarity. On the one side, the unanswerable plea that the first duty of every civilised Government is to maintain law and order, and the security of life and property: on the other side, the answer, that the outrages were caused by the abuses of the land system; that measures of reform should precede, or in any case accompany, measures of repression; and that the extended powers asked for were illusory, and could not be safely entrusted to a Government believed to be under the influence of the old Ascendency party. "Rebecca riots," it was urged, were raging in Wales at this very time, owing to the unpopularity of the turnpike system, and many of the worst features of Irish lawlessness had been reproduced among the Celtic inhabitants of the Principality; but in Wales the Government had not asked for an Arms Act; on the contrary, they were about to issue a commission to inquire into the grievances alleged by the people. Why, it was asked, did

[1] The history of these statutes is not without interest. The first enactment which related to the importation of arms into Ireland was the 33 Geo. III. c. 2. That Act was renewed by the 35 Geo. III. c. 24; by the 36 Geo. III. c. 37; and by the 40 Geo. III. c. 96. All these were Acts of the Irish Parliament before the Union. The last of these Acts expired in 1807, when it was renewed by the 54 Geo. III. c. 3, which contained in substance the law existing in 1843 on the subject of the importation of arms, with some modifications introduced by the 1 & 2 Geo. IV., the 1 Will. IV. c. 44. The possession and registration of arms were regulated by the 36 Geo. III. c. 26; 38 Geo. III. c. 82; 40 Geo. III. c. 96; all Irish Acts; and, finally, by the 47 Geo. III. c. 54, which had been renewed from time to time, but was now about to expire (see Lord Eliot's speech, Hansard, 3rd series, vol. lxix. p. 997).

the Government pursue one course in Wales and another in Ireland? "A great cause of the agrarian offences," said Sharman Crawford, "arose from the circumstances connected with the possession of land, and from the relationship between landlord and tenant. That was little understood in this country by the country gentlemen. It was the system of oppression by Irish landlords which caused the disposition among the people to agrarian outrages. They could get no justice from the law, and they were compelled to make a law to themselves, and they said, 'We must protect ourselves or starve.'"[1] "It is not to the want of an Arms Bill such as this," said Sheil; "it is to the imperfect, I am almost justified in calling it the impotent, administration of justice, that the atrocities by which certain districts in Ireland are unfortunately characterised are to be ascribed."[2] Lord Palmerston, though not opposing the second reading, said he believed that what most excited the people of Ireland was the existence of honourable gentlemen opposite as the Government of the country. . . . It was not, however, to the men who governed in Downing Street that the people of Ireland objected. Those to whom they objected were the men who governed in the Castle in Dublin.[3] "On what ground," he asked, alluding to a large number of recent evictions, "were these steps taken? It was said that people ate the produce of the land, and that the landlord could not obtain a fair rent from the tenant. He denied both these propositions, and he maintained that by the close application of their labour to small portions of land they obtained a greater amouut of subsistence from the earth than the best farmer could by the application of any system of agriculture." He acknowledged, however, the inconveniences and drawbacks of the system, and then went on to point out how in many cases "the landlords, feeling these, and not sufficiently reflecting on the injustice which they were inflicting on others—and, as he maintained, on themselves—when they found the leases expire, and also found on their land great numbers of persons born and

[1] Hansard, 3rd series, vol. lxix. p. 1012.
[2] Ibid., vol. lxix. p. 1038.
[3] Ibid., vol. lxx. pp. 286, 287.

bred there who were exercising their industry in the narrow limits of some two or three acres of land, turned out wholesale hundreds of families, retaining only that number which in their theoretical and abstract imaginations might be sufficient for the advantageous cultivation of the soil." He dwelt on the facts of the situation which made such conduct the cause of even greater hardship in Ireland than it could be in England, where profitable employment could nearly always be found in the great manufacturing towns, and the poor law was sufficient to prevent absolute destitution and starvation.[1]

The struggle over the Bill lasted three months, and destroyed the work of the session. The dangers which, under the existing system of procedure, might arise from the species of opposition to which it had been subject, impressed themselves strongly on the mind of Lord Palmerston. "It was hereby shown," he wrote to his brother, "that a compact body of opponents might, by debating every sentence and word of a Bill, and by dividing upon every debate, so obstruct its progress through Parliament, that a whole session might be scarcely long enough to carry through one measure."[2] Another warning was given during the discussion. Charles Buller insisted with great force that the deterioration in the quality of the potato, on which so large a part of the population depended for their daily food, was the source of a great coming danger; but his words, which were so soon to receive a terrible enforcement, passed unheeded in the confusion of debate.

On July 4 Mr. Smith O'Brien moved for a Committee of the whole House to take into consideration the causes of the discontent in Ireland, but the motion was rejected by a large majority. His speech, moderate in form, and telling in substance, was an indictment of the bad use made by the Government of their patronage, which was used for the exclusive benefit of one section of the population; of the ignorance and consequent neglect of Irish questions in

[1] Hansard, 3rd series, vol. lxx. pp. 281–283.

[2] January 5, 1844. "Life of Palmerston," by Mr. E. Ashley.

the House of Commons; and it ended with a powerful description of the misery existing in the country, which he traced to the absentee system; to the want of security for the capital of the cultivator; and to the collateral effects of legislation. "The subdivision of farms," he said, "was first greatly promoted by the efforts of the landlords to obtain political influence through their forty-shilling freeholders, and has subsequently been checked by their disfranchisement. The present undue tendency to depopulate small farms has in like manner been augmented by the operation of the subletting Act, and I much fear that it will be still further increased by the proposed enactments of the Bill for the amendment of the Irish poor law."[1] He desired, he said, to maintain the Union; but if Parliament persevered in its present courses, it would become impossible to maintain it, as there was no real equality between the two countries. "Session after session, measures which would be hailed with enthusiasm by an Irish Parliament, and which were supported by a large majority of the Irish members, were contemptuously rejected. Session after session, and in this very session, measures were forced upon a reluctant nation by English majorities, against the remonstrances of its own representatives. Whenever Ireland asked for the same laws that existed in England, she was told that the circumstances of the two countries were wholly different, and required different treatment; whenever she asked any deviation from the English system, the established laws and customs of Great Britain were pleaded as a sufficient answer. With this experience, it was not surprising that he should often doubt whether the abstract opinion he had formed in favour of a perfect union, never realised, was consistent with his duty to the country possessing the first claim on his devotion."

The Queen's speech at the end of the session announced the unalterable intention of her Majesty to maintain the Union, and O'Connell and the Government were now face to face. On Sunday, October 8, a monster meeting was

[1] Hansard, 3rd series, vol. lxx. p. 671.

announced, on the historic plain of Clontarf, on the northern shore of the Bay of Dublin. Here, in an age long gone by, the national hero, Brian Boroimhe, had gained a great triumph over the Danes, dying himself in the hour of victory, while striking a heavy blow at the power of the invader. The famous spot, it was announced, was now to see an Irish gathering before which the Saxon was to flee away, like the Dane of old; and if the Castle interfered, so much the worse for the Castle and all connected with the Castle, as their tyrannical behests would not be obeyed. Such, at least, was the interpretation placed, by friend and foe alike, on the language used by O'Connell.

The right of the conservators of the peace to prohibit and disperse a meeting which threatens insurrection or a breach of the peace, or from which reasonable and well-grounded apprehensions are entertained by law-abiding persons, is unquestioned, and after some hesitation the Irish Government resolved to exercise it; and prove the necessity, if called upon to do so, in a Court of law. The meeting was at the last moment prohibited, and Clontarf itself and the approaches were occupied with troops. Masses of people were already pouring in, before the prohibition was known. The question was if the leaders would persevere in holding the meeting. The fiery voices of the Young Irelanders were for resistance and action; but the legal instincts of O'Connell prevailed, and he directed his lieutenants to persuade the people to yield to the order of the Government and to disperse. He was obeyed. What the consequences would have been had he taken a different course, it is difficult to determine. It is hard to believe that serious bloodshed would not have resulted. But the Government thought they owed O'Connell no gratitude, and a few days after the prohibition of the meeting, he and his principal platform associates in the agitation were arrested on a charge of conspiracy; or, in other words, for a combination and agreement to do unlawful acts and to effect purposes, whether lawful or not, by unlawful means.

And now the battle was transferred into the Courts,

where O'Connell, aided by the flower of the Irish bar, was in his element. The crime of conspiracy, being a misdemeanour, can be tried by a special jury; and in regard to the composition of the list of special jurors, and the striking of the panel and the selection of the jury from it, a long and fierce struggle took place, which resulted in the exclusion of every Catholic, in a case where already the four judges appointed to try it were each and all Protestants. "If," said the Lord Chief Justice of England in the following year, in words which have become a familiar quotation, "such a practice should be allowed to pass without a remedy, trial by jury will be a mockery, a delusion, and a snare." The indictment itself, which consisted of eleven counts, was of inordinate length, and subsequently received the severe condemnation of the high authority just quoted, for its confusion, and for the consequent impossibility in which the defendants were placed of understanding what the charge really was to which they had to reply. Eventually the jury gave a verdict against the defendants, finding them guilty on five counts, and also guilty of separate and distinct conspiracies on two others; the remaining counts being dismissed as either too comprehensive or for other technical reasons. The judgment against each of the defendants was general: "that the party for his offences aforesaid shall be fined and imprisoned." A criminal appeal, properly so called, is unknown to the English law; but a new trial may be moved for in respect of points of law. Grounds for obtaining a new trial would, it was thought, exist here, if it could be shown that the presiding judge, Pennefather, had admitted improper evidence; that he had misled the jury on the effect of the evidence properly admissible; and that he had displayed a general bias unfairly hostile to the defendants throughout his summing-up and charge. It was noticed that, in the course of his charge, he had spoken of the counsel for the traversers as "the gentlemen on the other side." But the Court of Queen's Bench, though not unanimously, refused to grant the motion, and on May 30, 1844, O'Connell was called up for judgment. The court had previously refused a motion in arrest of judg-

ment, made on the ground that certain counts of the indictment were bad in law. But under certain circumstances a writ of error might be moved for, grounded on some substantial defect apparent on the face of the record of the trial, and such an error one of the counsel for the defendant believed could be shown to exist. It was for this reason that the motion in arrest of judgment was made in the Court of Queen's Bench in Dublin, in order to lay the foundation of a writ of error in the House of Lords. Among others the following points had attracted attention. As each of the eleven counts in the original indictment charged one unlawful agreement, and no more than one, it was now argued that it was not competent to the jury to find some of the defendants guilty of a conspiracy to effect one or more of the objects stated, and others guilty of a conspiracy to effect others of those same objects; for that was to find several conspiracies on a count which only charged one. The finding of the jury, therefore, though good on some counts, might be bad on others; and so, and even more, it turned out to be. O'Connell and his colleagues, owing to the procedure then in existence, though since reformed,[1] had already been imprisoned when a judgment of the House of Lords, given on September 4, had the effect of destroying the whole result of the proceedings; and on September 7, 1844, the prisoners were released, amid scenes of indescribable rejoicing.

The conduct of the O'Connell trial led to severe animadversion in Parliament, as well as by the highest judicial authorities in the land, and the whole condition of the methods of government and administration in Ireland again came under review in connection with it. "In England," said Lord John Russell, "the Government is a Government of opinion; in Ireland it is notoriously a Government of force;" and from the benches on the opposite side Mr. Disraeli declared that "a starving population, an absentee aristocracy, an alien Church, and the weakest executive in the world,—this was the Irish question."

But the defeat of O'Connell at Clontarf, and the

[1] 8 & 9 Vict. c. 68.

decision of the Lords, which deprived him of the aureole of political martyrdom, had struck a severe blow at the influence of the great agitator. Meetings indeed continued to be held, and the repeal rent was still paid, though in ever-diminishing amounts. O'Connell's health also was now beginning to fail, and his differences with the Young Ireland party were daily becoming more marked. An attempt to work in harmony with the leaders of the Federal party, who, since the failure of the Repealers, were beginning to be more active, proved abortive, and only led to dissensions and to mutual recriminations.

The events which followed still further accentuated the difficulties of the situation. It had become apparent to the receptive mind of Peel that, unless he shook himself clear, at least to a certain degree, of the influence of the Ascendency party, the effects of his recent victory would be but short-lived. A change of measures and of men was resolved upon. Before the end of 1843 a commission was issued to inquire into the land question, with Lord Devon, a large landowner of moderate views, as chairman, supported by experienced colleagues, and an attempt was shortly after made to carry out some of their recommendations in the interest of the tenant, but without success. In 1844 the grant for elementary education was increased, and a Bill enabling Roman Catholics to hold property and accept bequests for charitable and religious purposes was passed. Lord Heytesbury, a peer of diplomatic experience and conciliatory manners, was sent out to succeed Lord de Grey, whose health had for some time been failing; and Lord Eliot, having succeeded to the peerage as Lord St. Germans, by the death of his father, was replaced as Chief Secretary by Sir Thomas Fremantle. But more important than any of these changes was the decision to turn the small annual vote of £9000 a year to the Roman Catholic College of Maynooth, originally given by the Irish Parliament before the Union, into a grant of £26,000 a year, charged on the Consolidated Fund — a proposal which, though fiercely assailed by English Churchmen and Scotch Presbyterians, nevertheless passed into law. Maynooth,

at the time of the grant, was not intended to be a college for the education of the priesthood only, and some of the governors were laymen. The weakness of subsequent administrations allowed the implied conditions of the original grant to be tampered with, till Maynooth became a purely ecclesiastical seminary, and as such was disendowed in 1869. It was also decided by Peel to found and endow three colleges, of an entirely undenominational character, to be erected at Cork, Galway, and Belfast. The English Church party united themselves with the most bigoted section of the Roman Catholics, to denounce this plan as "a gigantic system of godless education," just as they had joined the most bigoted section of Protestant opinion to denounce the endowment of Maynooth. But the opposition proved equally fruitless in either case, and the Bill passed into law in 1845, to be nullified like its twin brother before the century was over, through the ever-changing views of Parliamentary majorities and Irish chief secretaries as to the proper model of educational policy.[1]

The proposals for the foundation of the Queen's Colleges brought to a head the long smouldering feud between O'Connell and the Young Ireland party. O'Connell thought that he saw in the Bill the cloven hoof of secularism, of the French Revolution, and of everything he most distrusted. Davis and Duffy, though criticising the details, recognised that in principle an important step was being taken to secure that union of the Catholic, the Presbyterian, and the English Churchman which they desired to see in Ireland. The feud was long and fierce. O'Connell attacked Davis on the platform; Davis retaliated, and, though the quarrel was patched up, the Association was shaken from top to bottom.

But events were now at hand in comparison of which the endowment of Maynooth and the "godless" colleges were the details of an unimportant struggle. The population of Ireland in 1845 was over 8,000,000, of which it was calculated that about one-half were dependent on the

[1] These colleges were subsequently made into a university.

potato for subsistence. The introduction of this cheap root had never encountered the same unpopularity as in other European countries, where it was for a long time believed to be the cause of several deadly diseases. Parmentier had to devote the labours of a lifetime to surmount these prejudices in France; and at the time of the Revolution he is said to have been refused a municipal office, owing to the electors believing that he had invented the potato, and would compel the people to eat it. In Ireland the feeling was of an exactly opposite character. Cobbett, from the other side of the water, might, if he chose, denounce it in his coarse but vigorous language, as Ireland's "lazy root," and even as Ireland's "infernal root;" but in Ireland itself his warnings found no echo, and he was even ridiculed in consequence by a national poet as a "bloodthirsty corporal," who objected to honest peasants finding a pleasant way of supporting life. The potato enabled a large family to live on food produced in great quantities at a trifling cost, and, as the result, the increase of the people had been gigantic. There had, however, been no corresponding improvement in their material and social condition, but the opposite. The census commissioners of 1841 divided the house accommodation of the country into four classes. The lowest or fourth class comprised all mud cabins having only one room. This class admittedly consisted of buildings unfit for human habitation, according to the ideas of civilised society; yet it appeared that in Down, the best-circumstanced county in this respect, twenty-four per cent. of the population lived in houses of this class, whilst in Kerry the proportion was sixty-six per cent. The average of the whole population of Ireland, as given by the census commissioners, showed that in the rural districts above forty-three per cent. of the families, and in the urban districts above thirty-six per cent., inhabited houses of the fourth class. They were the houses of the cottier and the labourer—the class which depended for a precarious existence on the cultivation of a mere patch of land, and on the receipt of uncertain wages, mostly obtained by harvest work in England. Their sufferings, borne with exemplary

patience, were, in the opinion of the Devon Commissioners, greater than the people of any other country in Europe had to sustain.[1]

Mr. Griffiths, in his Report on the state of Ireland, made in connection with the valuation carried out under his direction, stated that there were no less than 1,300,000 acres of waste land capable of being brought into successful cultivation and tillage, and 2,400,000 acres that might be made profitable for pasture. The poor law commissioners of 1836 gave it as their opinion that the produce per acre of land in Ireland, as compared with the produce of land in England, scarcely amounted to one-half in value, and that there were employed upon it a number of labourers more than double the number per acre employed upon the land in England. The total number of cultivated acres in England was 34,254,000; in Ireland, 14,603,000; but the net produce per acre in England was £4, 7s. 6d.; in Ireland, £2, 9s. 3d.; and yet there were 100,000 more labourers employed in raising the latter than the former. The census of 1841 showed similar results; but of 1,140,000 tenements rated to the poor in Ireland, 629,000 were valued at less than £5 a year. Neither in the size or tenure of their holdings, nor in the crops which they cultivated, nor in industry, did they bear the faintest resemblance to the peasant proprietors of the Continent, whose industry was said to have turned sand and rocks into gold.

In comparison with the evils arising from this condition of affairs, the unequivocal symptoms of improvement in wealth and in the methods of cultivation which the Devon Commissioners observed amongst those of the agricultural classes who really deserved to be described as tenant-farmers, and the efforts of a certain number of improving landlords to introduce better methods of cultivation and more orderly habits of transacting business, were but a drop in the ocean, and, if anything, made the surrounding misery appear even greater by the force of contrast.

[1] Vol. i. p. 126; vol. ii. p. 1116; "Report of the Census Commissioners" (1841), p. 14.

No fact was more clearly established before the Devon Commissioners than that the employment for the agricultural labourers was utterly insufficient, and their remuneration in consequence miserably low. "In the counties of Antrim, Armagh, Down, Londonderry, Tyrone, and Carlow, the most general rate of daily wages appeared to be 10d. a day in winter, and 1s. in summer. In Donegal, Fermanagh, Monaghan, Kildare, Kilkenny, King's County, Louth, Meath, Queen's County, Westmeath, Wexford, and Wicklow, 8d. in winter and 10d. in summer; and in all the other counties, except Dublin, where 1s. per day was usually paid, the general daily pay seemed to be 8d."[1] Where the labourers received food from the farmers their pay was even less, and sometimes fell as low as 4d. Occasionally in harvest-time wages rose as high as 1s. 2d. or 1s. 6d. a day, which was the maximum; and it was a common thing for wages to be given in the shape of rent-free potato-ground, and for no money to be paid at all. If the landlord trampled on the farmer, the farmer ground down the labourer under a still more pitiless tyranny.

Outside agriculture, the means of employment went on diminishing, under the influence of the withdrawal of the bounties by which, in the previous century, a few Irish manufactures had been stimulated into an artificial life, and through the same causes which in England were transferring the seats of industry and enterprise to the districts where iron and coal, lying in close proximity to each other, gave their possessors the advantage over every competitor, even over the possessors of the best water-power. Except in Ulster, where the linen industry held its own, great masses of the population of Ireland were in consequence thrown back on the soil for subsistence, and over a large portion of the country, owing to the ever-increasing subdivision of holdings, had nothing except a few potatoes between themselves and starvation. Without going back beyond the existing century, it was known that there had been severe famines in 1822, 1831, 1835, 1836, and 1837, sufficiently awful in themselves, yet suggestive of

[1] "Digest of Evidence," part i. pp. 475, 476.

still more terrible possibilities. "The multiplication of the people," Sir George Lewis wrote during the last of these visitations, and foreseeing the yet heavier cloud of danger that was evidently looming up on the horizon, "goes on with perpetually increasing velocity. Every year adds to the number of claimants for potato-gardens, and by further subdividing the land diminishes the means of employment, thus tending slowly, but inevitably, to that worst form of civil convulsion—a war for the means of subsistence."[1]

Drummond and Lewis both recognised that it was the irregularity of employment which made the land a necessity of life; that the necessary change which the population had to go through was the transition from the state of pauper tenants to that of independent labourers, and that if the demand for labour was somehow not permanently increased, or the tendency to subdivide checked, or the population immensely diminished by emigration or otherwise, a social calamity of unprecedented magnitude was simply a question of time.

The corn laws, amended in 1842, were still fixed on the principle of the sliding scale; in other words, the duty varied with the price. Wheat in 1845 was at 64s. a quarter, which meant an 8s. duty; and at this price a cheap supply of bread, even if the population had had wherewithal to buy it, could not be brought into the country were the potatoes to fail. It has been seen that in the debates of 1843 Charles Buller had pointed out that the admitted deterioration in the quality of the popular root was likely to be followed by serious consequences. The soil, exhausted by the crop, and unrefreshed by any wise system of husbandry, was every year producing a weaker and weaker plant, inviting, if it did not actually produce, the attack of the disease, which in September 1845 again began to appear in different parts of the country, and by the end of the year was making terrible ravages in the southern counties. The possibility of another famine began to be discussed, as, owing to the impossibility of storing potatoes for any

[1] "On Local Disturbances in Ireland," p. 338.

lengthened period, there was and could be no large stock of them in the country, by which the difficulty could be tided over till a good harvest again appeared; and there would also be difficulties in the transport to the places where they were needed, owing to the weight and bulk of the article.

Peel for a great portion of his career had been a believer in the doctrine, taught by some of the earlier economists, that the rate of wages varied with the price of corn, and that therefore the workman is compensated for the high price of the necessaries of life by the receipt of a high salary. It appears that he had become doubtful for some time past of the truth of this doctrine, and when the crushing calamity with which he had to deal in Ireland stared him in the face, his remaining scruples about bringing in cheap food disappeared, and the leader who had come into power on the shoulders of the Protectionists, declared himself a convert to the views of Mr. Villiers, Mr. Cobden, and Mr. Bright.

How his administration was broken up in consequence; how the Whigs in 1845, owing to internal dissensions, were unable to form a Government; how Peel, with the loss of several of his colleagues, returned to power; and how a new distribution of parties was the result, are amongst the best-known pages of recent English political history. But the details of these events lie outside the scope of this narrative, which is only concerned with their influence on Ireland.

At the head of a reconstituted ministry, Peel, on January 22, 1846, met Parliament with two great measures: the one for the repeal of the corn laws; the other for the restoration of order in Ireland, where, notwithstanding the Arms Act, agrarian crime was again rampant under the combined influence of material distress, the exactions of the landowners, and the machinations of secret societies. The Arms Act was about to expire, and it was determined to renew and extend it. In a proclaimed district additional police and magistrates were to be appointed, at the expense of the localities; pecuniary compensation was to be awarded to the victims of outrage from the local rates; persons out

of doors between sunset and sunrise were to be liable to penalties; and offenders against the clause were made liable to transportation. This last proposal immediately became the object of much comment, the attack on it being opened by Lord Grey in the House of Lords, in a speech of great power.[1] The Crimes Bill, however, did not stand absolutely unaccompanied with an attempt at remedial legislation. The new Chief Secretary, Lord Lincoln, introduced a measure providing that in certain cases compensation for future unexhausted improvements made by the tenant should be paid by the landowner on resuming possession.

The opposition consisted of two bodies: the regular Whig opposition, and the Protectionists led by Bentinck; they were united by a common hatred of the ministry. By a coalition recalling in some of its features the famous coalition of 1783, they joined forces in the House of Commons to overthrow the ministry on the Crimes Bill, which was thrown out on the same day that the Corn Bill received the assent of the Crown in the Upper House. Peel at once resigned, and Lord John Russell, being sent for by the Queen, succeeded in overcoming the difficulties which had baffled him in the previous year. In July 1846 he accordingly became the head of a Whig ministry, which, relying on the divided condition of the Conservative party and the open support of Peel, was able to look forward without apprehension, so far as Parliament was concerned, to the prospects of public business, however appalling the prospect might be in Ireland itself. The conduct of Lord John Russell in thus taking advantage of the Parliamentary situation in order to oust Peel and his colleagues will always be the subject of much controversy. Between these two statesmen there was a rooted distrust, founded mainly on incompatibility of temper, and accentuated by the distrust always felt by a true Whig brought up in a consistent if somewhat narrow school for statesmen capable of such political gyrations as those by which the emancipation of the Catholics and the abolition of the corn laws were finally brought about. "The idea of Peel and the good govern-

[1] Hansard, vol. lxxxiv. p. 696.

ment of Ireland," the new premier had written in 1843 to Lord Lansdowne, "appears to me a contradiction in terms;" and therefore, in his view, his first and last duty in 1846 was to get rid of Peel. "The remedy," in his opinion, was a "good administration of the law, based on the assent of the sober and enlightened amongst the people. A mere party of officials can have neither authority nor affection."[1] "The principle on which Mr. Huskisson professed to act, of stipulating for certain measures without regard to the men who were to carry them into effect," was, he thought, "a most mischievous innovation on old-established rules for the conduct of the statesmen of this country."[2] With these views he had little difficulty in justifying to himself his own conduct in the present crisis. To the attacks of adversaries and to the criticisms of candid friends he turned an indifferent ear.

The final debate on the Crimes Bill was memorable as the occasion on which O'Connell made his last important utterance in Parliament. The effects of labour and anxiety had begun to leave their mark on his once iron constitution and powerful frame. The vigour had departed from his lips, and the lustre from his eye. The author of the "Life of Lord George Bentinck," who was present, describes him as "a feeble old man muttering before a table." He was soon after known to be suffering from a mortal disease, from the ravages of which he sought the refuge of a southern climate. His wish was to reach Rome, but death overtook him at Genoa, on May 15, 1847. His body was removed to Ireland, his heart, in accordance with his last wishes, being taken to Rome.

[1] Lord John Russell to Lord Lansdowne, January 4, 1829.
[2] Ibid., January 1, 1846.

IV

THE FAMINE AND ITS CONSEQUENCES

WHEN the Russell administration was being formed, the idea of abolishing the Lord-Lieutenancy was discussed, with a view of appointing a responsible Secretary of State for Ireland. But great difficulties were found to exist: the prejudices of English Conservatives and of Irish Nationalists being both opposed to the plan, which had in consequence to be abandoned. The new Lord-Lieutenant was Lord Bessborough, a large landed proprietor in the south-eastern counties of Ireland; a man of liberal views, and standing peculiar amongst the viceroys of Ireland in this—that he possessed an intimate knowledge of the country over which he was called upon to rule. As Lord Duncannon he had held high office, and was known amongst the members of the Melbourne ministry as one of the most active supporters of the policy of co-operation with O'Connell. He took with him as Chief Secretary Mr. Labouchere, a man of enlightened opinions and considerable administrative experience.[1]

The problem with which Lord Bessborough was face to face was how to feed a nation. It resembled in magnitude those which in later days have taxed to the utmost the resources and the humanity of the Government of India; but in Ireland it came on a country with no organisation which could be readily adapted to meet the dangerous emergency which had arisen. In order to cope successfully with sudden but temporary distress, a Government ought to do nothing to interfere with the action of private enterprise, either in the supply of food or of employment; it ought carefully to avoid encouraging idleness by an unwise distribution of charity; and it should have at its command persons com-

[1] The best account of the famine is to be found in the *Edinburgh Review*, vol. lxxxvii. (1848), in an article now known to be from the pen of Sir Charles Trevelyan.

bining local knowledge with experience in the treatment of the poor. It should also have easy means of access to the afflicted districts. None of these conditions at this time existed in Ireland. The Irish poor law, recently passed, only provided for the administration of relief in the workhouse, and the workhouses, which could not hold the starving population, became overcrowded pest-houses and scenes of unutterable misery. The Government had not yet enlisted any large body of persons trained up to conduct the existing system, such as it was, on reasonable principles; and the means of communication, especially with the most distressed districts in the south and west, were lamentably deficient. "The people," says Mr. Stuart Trench, "died on the roads, and they died in the fields; they died on the mountains, and they died in the glens; they died at the relief works, and they died in their houses, so that little streets or villages were left almost without an inhabitant; and at last some few, despairing of help in the country, crawled into the town, and died at the doors of residents and outside the union walls. Some were buried underground, and some were left unburied on the mountains where they died, there being no one able to bury them. . . . The descriptions which have been given me of these scenes by trustworthy eye-witnesses would appal the stoutest heart, and are far too horrible to relate. . . . All this took place because there was no one there with sufficient administrative capacity to import corn in time, and to bring the food and people together."[1]

Mr. Vandeleur Stewart summed up his evidence before the Poor Law Commissioners by saying that Ireland was on the point of becoming one vast lazar-house. "Have we ever known or read of anything surpassing it?" Mr. Horsman exclaimed in the House of Commons; "a rich empire in a Christian age! One inspector likens it to a country devastated by an enemy: it is more as if the destroying angel had swept over it—the whole population struck down; the air a pestilence; the fields a solitude; the chapel deserted; the priest and the pauper famishing

[1] "Realities of Irish Life," p. 134.

together; no inquest, no rites, no record even of the dead; the high-road a charnel-house, the land a chaos; a ruined proprietary, a panic-struck absconding tenantry; the soil untilled, the workhouse a moral pest; death, desolation, despair, reigning through the land."[1]

Such was the condition of the country. It is scarcely a matter of wonder if, considering the novelty of the problem, the efforts of the Government to cope with it are an unsatisfactory record of varying experiments and changes of plan. The administration of Sir Robert Peel, by buying up large quantities of Indian corn and then retailing it at low prices, and by establishing relief works under a Labour Rate Act, one-half of the cost of which was eventually to be repaid by the localities,[2] had turned the edge of the famine at the outset; but it was contended in some quarters that these different agencies had checked the importation of cheap food through private enterprise, and the establishment of public works by the local authorities. When, therefore, in 1846, it became evident that the worst of the famine was yet to come, the Russell Government decided to stop the further sale of Indian corn, to throw the whole of the ultimate repayment of the loans for public works on the localities themselves, and to extend the duration of the Labour Rate Act. In March 1847, 734,000 persons were employed on the public works. Nevertheless in the remote districts, where the famine was at its worst, men, women, and children were dying of hunger by scores, owing to the difficulties of communication. Owing also to the pressure of the circumstances of the time, to the lack of accurate information, to the clamour which arose on all sides, and the love of jobbery, which made itself felt even at this most solemn moment, a great absence of practical utility and of suitable character was observed in many of the works actually adopted. The Baronial Sessions proposed works with alarming recklessness; and these the Board of Works had to approve in frequent ignorance of the true circumstances of the case. No less than 5000 separate under-

[1] Hansard, 3rd series, vol. cv. p. 609, May 17, 1849.

[2] 9 & 10 Vict. c. 1.

takings came up to be reported upon; there were 12,000 subordinate officers to be superintended on the works actually approved; and, as the hand of every man was against the Government, into whose pocket all parties claimed an unlimited right of plunging, many mistakes were inevitable. No attempt was made — perhaps none was possible—to carry out the construction of any large plan of permanent benefit to the country, such as Drummond's scheme of railway construction. The result was that, while in some cases good results were obtained, in others enormous sums were wasted. Roads were laid out that led from nowhere to nowhere; canals were dug into which no drop of water has ever flowed; piers were constructed which the Atlantic storms at once began to wash away. An enormous canal was, for example, planned to connect Lough Mask and Lough Corrib, by piercing the narrow neck of land which divides those two great sheets of water. It was thereby intended to make a continuous waterway from the centre of Connaught to the sea at Galway—a splendid and useful scheme. But when the canal was completed, it was found to be utterly incapable of holding water, being made of a porous limestone; and it remains to this day a source of wonder and amusement to every traveller who happens to pass through Connaught. Clamorous demands were also made, and with difficulty resisted, that people, instead of being employed on the roads, should be employed on their own farms, and paid out of the Government funds. Such being the state of affairs, it was decided, at the end of 1846, to stop the relief works, and after March 1847 to substitute the action of relief committees, administering relief in kind through funds supplied in the first instance by the Government, but to be eventually repaid by the localities themselves. By August 1847, when the second and worst period of the Irish famine may be said to have terminated, the public works were wound up, and while their extent was being gradually reduced, the destitute, amounting to about three millions of persons, were kept alive by the action of the relief committees, materially aided by the

splendid munificence of British charity, which fortunately on this occasion fell into the hands of skilled distributors.[1]

The condition of the Poor Law now demanded attention. The reasons which appear to recommend a poor law are that the tendency of population to increase more rapidly than the means of subsistence, coupled with the unforeseen disasters caused by sickness and accident, and the unwillingness or the inability of the mass of the population to provide against them, will always produce a certain number of destitute persons in every community. What the proportion of such persons to the whole population will be, must depend on the greater or less degree of efficiency of the checks existing on the increase of population. Limiting the number of children to a marriage, putting off marriage till a comparatively late period of life, and emigration, have been the principal means by which, through voluntary action, the increase of the unemployed and destitute beyond all control has been checked in most European countries. But, notwithstanding these restraints, pauperism will still continue to exist, and society has had the choice of relieving it, through the agency either of charitable institutions or of a compulsory poor law.

The Roman Catholic Church had attempted, but with only partial success, to found "asylums in which should be treasured in trust for the indigent, the accumulations of piety: cheaply feeding the hungry, clothing the naked, educating the ignorant, and affording consolation under every infirmity that affects human nature."[2] The colder genius of the Reformation only saw the disorders which clustered around the administration of these asylums. It abolished the monasteries, and in their stead founded a poor law, by which the means of actual subsistence were secured to every person in the community, but with a corresponding obligation on the part of the able-bodied to work. What the subtle causes have been which as a rule have caused a compulsory poor law to grow up in most

[1] More especially as regards that portion of the funds which passed through the hands of the Society of Friends.

[2] Address of the Roman Catholic prelates to the viceroy, October 1847.

Protestant countries, but not to flourish as a rule in Roman Catholic communities, is a problem which commands attention. It may be that the exaltation of the doctrine of works by the Roman Church, and the undue depreciation of it by the early Calvinistic reformers—though in both cases founded on a misapprehension of the very texts which each side quoted—is at the root of the difference. Be that as it may, England had, from the time of Elizabeth, been in possession of a poor law, while Ireland had not; the Protestant conquerors of the latter country finding it convenient in this matter, but in no other, to adopt the views of the Church whose property they had seized, while paying but scant regard to the trusts on behalf of the poor, which in many cases had attached to the "accumulations of the piety" of bygone ages. The English poor law was part of a system of which the law of settlement, the vagrancy laws, and a firm but just local administration of justice are the supports, the object of these measures being to enable the persons liable to poor rate to set some limit to the class who can claim it. None of these things existed in Ireland in any shape till the fourth decade of the last century, when, in the teeth of the combined opposition of O'Connell, the Roman Catholic bishops, and the Orange party, whose prejudices were averse from or whose interests were opposed to the proposed reform, the Poor Law Bill of 1838, as already stated, was passed into law. Under this Act, one hundred and thirty workhouses, under as many Boards of Guardians, were established. Relief could not under any circumstances be given out of the house; it could in no case be claimed as a right; and it threw the whole rate on the occupier within a small union of parishes called an "electoral district." In 1846 it became clear that the arrangements then made were totally inadequate to meet the existing destitution, and three Acts of Parliament were passed, one of which dealt with vagrancy, while by the others relief out of the house was allowed to be given to the sick and infirm, and food to the able-bodied if the house was full; the number of workhouses and boards was increased; the area of the

electoral district was reduced: the boards were compelled to appoint medical and relieving officers; and the owners of land were made liable to contribute to the rate.[1] On the other hand, the tests of destitution were increased by the provision that no occupier of more than a quarter of an acre of land was to be entitled to relief. As a general rule of administration in ordinary times, the rule was perfectly sound; but whether it was wise to introduce it at this particular moment may well be doubted. "If," Lord Bessborough wrote to his colleagues, "a poor law test is insisted on before employment can be given, I fear you will very much demoralise the whole agricultural population of Ireland, who have a particular dislike to be considered paupers, and to depend on workhouse subsistence. If I thought that the measure of relief to be given would be always to such an extent required as it is at this moment, I should indeed be in despair of making any provision for destitution, and should be bound to acknowledge that the poorhouse must be the test. My belief, however, is that such is not the case. The poor man possessing one, two, or perhaps three acres, depended for the subsistence of himself and his family entirely on his potatoes. His potatoes have failed, and he is destitute. He will have no inclination to run the risk again by trying a potato crop next year, if he has the seed; but he has it not, and he must resort to some other crop to supply its place. A grain crop will not give him half the provision on the same quantity of land that potatoes have done. Turnips, parsnips, mangel-wurzel, carrots, are not above two-thirds of the same provision for his family. In the transition, then, from the potato to some other crop, and from being what he is now—a small farmer—to be a labourer, he will suffer great distress, and must have assistance. It is under such circumstances that I should very much prefer some Barony Court to arrange for the distress of the unemployed in the barony, rather than throwing the whole population under poorhouse registration."[2]

[1] 10 & 11 Vict. c. 84; 10 Vict. c. 31; 10 & 11 Vict. c. 90.

[2] Lord Bessborough, December 10, 1846.

The "quarter of an acre" clause undoubtedly encouraged the tendency "to force off the Irish cottiers in masses from the soil, with a view of leaving it free for a new race of agriculturists."[1] The heart of the energetic improver of land, looking into the future and seeing a prospect of improved husbandry, increased wages, and better dwellings, rejoiced at the prospect. But there was another side to the picture. "There are many people," said a competent witness, "whom I have heard dilating upon the advantage to Ireland of the failure of the potato crop, and the blessing it would be to the people to have cereal food substituted. It seems to me, however, that those who thus express themselves are not aware that it is absolutely impossible all at once to increase the growth of cereal crops to the extent required to feed the present population upon that diet. Before this can be done, there must be an increased quantity of land in a state fit to yield corn crops. This can only be done by an increased growth of green crops; and this, again, requires an increased stock of manure; so that, even if it can be accomplished at all, it must be a work of time. And what is, in the meanwhile, to become of the hundreds of thousands who have hitherto depended on the conacre potatoes? It is fearful to contemplate the misery that must take place before any good can arise from the failure of the potato."[2]

The Devon Commission, which reported in 1845—almost simultaneously with the outbreak of the famine—pointed out that the Act of 1793, having extended the 40s. franchise to the Roman Catholics, "the landowners and the middlemen found the importance of a numerous following of tenantry, and subdivision and subletting, being by the law indirectly encouraged, greatly increased. The war with France raised the profits of the occupier, who was thus enabled to pay a large rent to the mesne lessee. These causes produced a class of intermediate proprietors, known by the name of middlemen, whose decline after the cessation of the war and the fall of prices in 1815 brought with it much of the evils

[1] *Edinburgh Review*, vol. cvi. p. 111.

[2] Mr. Blacker's evidence before the Devon Commission.

witnessed of late years. Many who during the long war had amassed much wealth had become proprietors in fee; others who had not been so successful struggled in after years to maintain a position in society which their failing resources would not support. The sub-tenants were unable to pay war-rents. The middleman himself, who had come under rent during the same period, became equally unable to meet his engagements. All became impoverished. The middleman parted with his interest, or underlet the little land he had hitherto retained in his own hands; himself and his family were rapidly involved in ruin. The landlord in many cases was obliged to look to the occupiers for his rent, or, at the expiration of the lease, found the farms covered with a pauper, and it may be a superabundant, population. Subsequently the Act of 1829 destroyed the political value of the 40s. freeholders, and, to relieve his property from the burden which this chain of circumstances brought upon it, the landlord in too many instances adopted what has been called 'the clearance system.'"[1]

It was the renewal at this crisis, in several instances, of this system of clearing estates which now came to add to the difficulties of the hour. "Disease and want," said Dr. Doyle, "soon carry off the greater number. They die in a little time. Thirty families came into the town in which he lived, from some ejectment. In one twelve-month twenty out of the thirty families—*i.e.* two-thirds of them—have died."[2] Alluding to some evictions which had taken place in the Kilrush union, Sir Robert Peel declared, in the House of Commons, that he did not think that the records of any country, civil or barbarous, presented materials for such a picture as was set forth in the statement of Captain Kennedy, one of the poor law sub-commissioners, which had been laid before Parliament, and he indignantly scouted the notion—which it had been rather weakly sought to put forward—that the law itself, and the Parliament which had passed it, could be held respon-

[1] "Report of the Devon Commission," vol. ii. pp. 1109, 1110.

[2] Bishop Doyle quoted by Mr. Poulett Scrope, June 12, 1846, in the House of Commons (Hansard, vol. lxxxvii. p. 393).

sible for the terrible acts recorded in it,[1] and the burden of blame be thereby conveniently shifted from the shoulders of the perpetrators to those of the House of Commons and the Government. Such pleas had to be ruled out of court. On the other hand, the attempt made in some quarters to place the sole responsibility for the disasters of the period, and for the loss of so many lives, on the shoulders of the landlords, and to represent every cottier who fled from his blighted and barren potato-plot, and every peasant who emigrated from districts which, under no conceivable circumstances, could maintain their population in anything beyond a condition bordering on intermittent starvation, as the direct victims of the deliberate oppression of the landed and governing classes, was equally exaggerated and misleading. Many of the landlords evinced conspicuous self-sacrifice and individual heroism; one-third of their number were absolutely ruined by the famine. The owner and the occupier too often sank together in a common ruin. It was stated in Parliament that there were persons of position who, at the outset of the famine, were members of the relief committee, and before it was over were reduced to begging for a dole of Indian meal wherewith to support life. The period was indeed one of those "which revealed the mingled baseness and heroism of human nature."[2] To put a check upon these clearances an Act was passed in 1848, compelling landlords to give eight-and-forty hours' notice to the poor law guardians of their intention to carry out an eviction, so as to allow provision to be made in the workhouse for the reception of the persons who had been deprived of home and shelter.

By the end of 1847 cheap supplies of food began to be brought into the country by the ordinary operation of the laws of supply and demand, at far cheaper rates, owing to an abundant harvest abroad, than if the Government had tried to constitute itself the sole distributor. The potato harvest of 1847, if not bountiful, was at least comparatively

[1] Hansard, 3rd series, vol. cv. pp. 1287–1317, where extracts from Captain Kennedy's report are given.

[2] "Irish Emigration and the Tenure of Land," by Lord Dufferin, p. 52.

good; and the refusal of the Government to employ men on their own farms caused the ordinary market for labour to be again opened at the earliest moment, and the work of the relief committees to be slowly but surely brought to a conclusion. By March 1848 the third and last period of the famine may be said to have terminated. But, though the direct period of distress was over, the economic problems which remained for solution were of overwhelming magnitude. The actual cost of the famine, measured by the sums spent out of the taxes, the poor rates, or collected by private charity, had been enormous. No exact calculation of the amount has been or perhaps ever will be made. But the mischief of the situation lay, not in the large expenditure of the past, but in the future outlook. The introduction of out-relief had filled the Irish landowners with alarm. The gross rental of Ireland was estimated at seventeen millions, of which nine, it was said, had to be paid over to mortgagees, and the remaining eight, it was calculated, would be more than swallowed up by the measures proposed. The famine, as already pointed out, had indeed ruined a large portion of the Irish landowners as well as their tenants. The poor law, it was epigrammatically said, had "beggared the proprietor, had ruined the farmer, and did not support the poor." Complaints were loud of "the benevolent intentions and mischievous legislation" of the government.[1] A million and a half of the people had disappeared. The land was devastated with fever and the diseases which dog the steps of famine, and a bitter cry arose from all classes of the community, when, the worst period of distress being now over, men began to look around them, and to take stock of the situation. The waters of the great deep were indeed going down, but the land was seen to be without form and void.

On May 16, 1847, the day following that on which O'Connell had breathed his last at Genoa, Lord Bessborough expired. It was generally recognised that he had done all that was possible to surmount the difficulties of an almost impossible situation, and had laboured with unsur-

[1] Hansard, 3rd series, vol. cv. pp. 1289–1291.

passed energy amid circumstances which would have overcome any but a statesman of the most robust fibre. After some renewed discussion as to the possibility of abolishing the office of Lord-Lieutenant, Lord Clarendon, the president of the Board of Trade, was appointed to succeed him; and Mr. Labouchere, having succeeded to the office vacated by the new Lord-Lieutenant, was replaced as chief secretary by Sir W. Somerville.

But a change, far greater than any changes of men, or even of measures, had passed over Ireland in the last two years. The population, which had hitherto been constantly increasing, was now rapidly decreasing. Fever came in the wake of famine, and continued to decimate the population long after the potato disease had ceased. Under these combined disasters the great movement of emigration from Ireland to the United States of America began, which has continued ever since. Its full effect may be seen in the following tables of the rise and fall of the population during the last century:—

ASCENDING YEARS.		DESCENDING YEARS.	
1801. . .	5,395,456	1851 . . .	6,552,385
1811 . . .	5,937,856	1861 . . .	5,798,564
1821 . . .	6,801,827	1871 . . .	5,412,377
1831 . . .	7,767,401	1881 . . .	5,174,836
1841 . . .	8,175,124		

In the early years of the famine emigration on a large scale was a novelty, and in too many instances the arrangements were hopelessly inadequate for the comfort of the emigrants. Except where a few wealthy and benevolent landlords, whose efforts in this respect were referred to in Parliament with approbation by Sir Robert Peel, were able to see that the proper conditions were fulfilled, the horrors of the journey to America recalled those of the middle passage. Mr. de Vere took his passage in the steerage of an emigrant ship, and he remained on board two months. His letter, describing what he saw, was adopted as a public document by the Colonial Office. He related how he had seen "hundreds of poor people—men, women, and children, of all ages, from the drivelling idiot of ninety to the babe just born—huddled together without light, without air,

wallowing in filth, and breathing a fetid atmosphere, sick in body, dispirited in heart; the fevered patients lying between the sound, in sleeping-places so narrow as almost to deny them the power of indulging by a change of position the natural restlessness of the disease; by their agonised ravings disturbing those around, and predisposing them through the effects of the imagination to imbibe the contagion; living without food or medicine, except as administered by the hand of casual charity; dying without the voice of spiritual consolation, and buried in the deep without the rites of the Church. The food," he went on to say, "is generally ill-selected, and seldom sufficiently cooked in consequence of the insufficiency and bad construction of the cooking-places. The supply of water, hardly enough for cooking and drinking, does not allow washing. In many ships, the filthy beds, teeming with all abominations, are never required to be brought on deck and aired; the narrow space between the sleeping-berths and the piles of boxes is never washed or scraped, but breathes up a damp and fetid stench, until the day before arrival at quarantine, when all hands are required to scrub up and put on a fair face for the Government inspector and the doctor. No moral restraint is attempted; the voice of prayer is never heard; and drunkenness, with its consequent train of ruffianly debasement, is not discouraged, because it is profitable to the captain, who traffics in the grog."[1]

By the end of 1849 it was said the Irish tenants looked as if they had just come out of their graves, and the landlords as if they were going into theirs. Seventy-one unions in Munster and Connaught were bankrupt; the outstanding debt and the annual expenditure together amounting to £592,000. The population of the Castlebar union was 61,000; the persons who in 1847 had received relief were 46,000. The rateable value of the Clifden union was £19,986, but three-fifths of the whole had been thrown up in consequence of the inability of the owners and occupiers to meet the demands for poor rates, and of un-

[1] See the passage as quoted in Sir Robert Peel's speech, March 30, 1849, "Speeches," vol. iv. p. 797.

willingness to incur future charges. Under these circumstances, the Government proposed to make the whole landed property of Ireland contribute to a national poor rate, and a Bill known as the Poor Laws Rate in Aid Bill was brought in with that object. On the second reading of this measure, Peel delivered a great speech on the policy which should now be pursued. He reverted to the condition of the Highlands of Scotland after the events of 1745, when rebellion and material distress had both done their fell work; and he suggested that, in regard to the distressed districts of Ireland, the precedent might be followed with advantage. Under an Act passed in 1752, the Scotch forfeited estates had been annexed to the Crown, and placed under the management of a Commission, whose duty was to pay off all creditors, and establish a method of management, applying the rents and profits to civilising and improving them, and preventing disorders in future. "These are my suggestions," he went on: "to seek the relief of the present distress by encouraging draining and the improvement of the land; by opening up roads through inaccessible districts; by erecting piers for the accommodation of the fisherman; by promoting emigration without interfering with voluntary emigration; above all, by facilitating the transfer of property from insolvent to solvent proprietors; and by abandoning the present injurious system of giving gratuitous relief, whether in exchange for labour or not, and reverting gradually to the principle of the Act of 1838, of applying the only effectual test—the workhouse test—as a proof of destitution."[1]

Peel, at the time he was speaking, had ceased to be a minister of the Crown, but he carried more weight with the nation at large than any of those who sat opposite to him. Although the Rate in Aid Bill was passed as a temporary measure, his proposals were accepted as indicating the policy to be pursued in future. The first result was the establishment of the Encumbered Estates Court Commission, to carry out the sale of the estates of embarrassed owners, which in the previous year had been entrusted by

[1] Peel, "Speeches," vol. iv. p. 802.

a Government Bill to the Court of Chancery, a jurisdiction which Peel wished to see ousted altogether. The Land Improvement Act followed, by which a Commission was established with funds at its disposal to be advanced to the landlords for the improvement of land, to be repaid within limited periods; the poor rate was gradually brought back within reasonable limits; and a grant of £620,000 in aid of the construction of railways was voted.

Sir W. Somerville also introduced a measure similar in conception to that of his predecessor, Lord Lincoln, for giving compensation in future to improving tenants on quitting their holding, and for the increased value they might give to their holdings. But the Bill, being viewed with dislike by the landowners, and received with disappointment by the tenantry, made no progress; and the danger of which the Devon Commission had warned the owners of the soil, that the tenants' equitable interest was constantly increasing, and a sort of embryo copyhold was in consequence growing up, remained unheeded, to breed trouble for the next generation. In 1849 the Navigation Acts were finally repealed, and by this measure, second only in importance to the repeal of the corn laws, the last obstacle to the cheap importation of food supplies was removed from the Statute-book; and a slight extension of the suffrage indicated the returning trust of Parliament in the people.

The disasters of the famine, however, had stimulated the tendency to agrarian outrage, and the Russell Government had not long been in office before they had to decide on what course they would pursue in regard to it. Amongst the members of the administration was Lord Campbell, the eminent lawyer, who at this moment was Chancellor of the Duchy of Lancaster, with a seat in the Cabinet. He had been solicitor-general in the Governments of Lord Grey and Lord Melbourne, and for a short time had held the Great Seal of Ireland. To the whole subject of Irish disaffection he had applied the resources of his vigorous and independent intellect. He has left it on record how, when solicitor-general, he read the Coercion Bill of 1833 "with amazement and grief," and devoted all

his energies to getting it modified; and how, when Peel's Coercion Bill was passing through the House of Lords in 1846, he "kept up an incessant fire upon it in all its stages, and, by damaging it in public opinion, prepared the opposition which was fatal to it in the other House." As a member of the Russell Cabinet, he now "strongly combated 'coercion,' for which there was a demand in all quarters." "I preached up," he writes in his autobiography, "a more vigorous exercise of the existing powers of law to prevent, to detect, and to punish crime." But he also feared "that some new measure must be resorted to in disturbed districts against the conspiracy to commit murder and systematically violate the rights of property." This, he trusted, would be rather in the nature of a police measure than a violation of the constitution. "We should ask for coercion," he argued, "with a very bad grace, having come into power upon a division for refusing it to Sir Robert Peel."[1] The measures now brought forward bore the stamp of his mind more, perhaps, than that of any other member of the Cabinet. It was not proposed to suspend the writ of Habeas Corpus, or the right to trial by jury, or to terrorise the country by unusual punishments. To prevent outrage and disturbance, the provisions of the Arms Act were simply renewed, with amendments which empowered the Lord-Lieutenant to proclaim districts and to increase the police force in them, charging the cost on the ratepayers.

There was yet, however, to be a final wrestle with the forces of rebellion, and between rebellion and agrarian disturbance the Cabinet knew how to distinguish. The advocates of armed insurrection saw in the sufferings of the masses of the population a fresh argument in their own favour. The Russell Government, which the results of the general election of 1847 had materially strengthened, soon became aware that the extreme section of the Young Ireland party had got the upper hand, represented by men who denounced Dillon and Duffy for their moderation, just as the latter had found fault with O'Connell for what they considered his backslidings. They were reinforced at this

[1] "Life of Lord Campbell," vol. ii. pp. 27, 199, 232.

moment by Thomas Francis Meagher, whose oratory, in the opinion of competent judges, recalled the eloquence of the great days of the former century; and by John Mitchel, who took the place on the *Nation* rendered vacant by the death at this juncture of Davis. The policy of action hitherto advocated by the *Nation* was too mild for the new contributors, and they founded a newspaper of their own, the *United Irishman*, which, in sympathy with the Continental movement of the time, openly advocated "revolution" as the sole remedy for Irish wrongs. Smith O'Brien had now definitely thrown in his lot with the Repealers; and, having convinced himself that justice was not to be expected from Parliament, he went on a deputation to France, with a view of interesting Lamartine, then at the head of the recently formed republican government, in the Irish cause. The armed assistance of France had long been the dream of patriotic Ireland, especially of that section of it which was imbued with the revolutionary legend, and looked back with fond regret to the days of Wolfe Tone and Hoche. Lamartine had declared, with that fatal facility for sonorous but misleading phrases for which he was famous, that France was the friend of all oppressed nationalities; but when brought face to face with his own declarations on the one hand, and the responsibilities of government on the other, he decided in favour of the latter, and gave but cold comfort to the deputation of his enthusiastic Irish admirers. The party of action, however, were not discouraged. The year 1848 had seen the greatest crowned heads of Europe escaping from their capitals, and ministers of ancient fame and reputation flying for their lives. Why should not similar events, they argued, be seen in Ireland, and the walls of Dublin Castle fall down before the blast of the trumpet of the Irish Revolution? The Chartist movement was daily becoming more and more formidable in England, and an Irishman was taking the leading part in its direction. Why, they thought, should not the two movements go hand-in-hand, and the two peoples be liberated simultaneously? Of all these things there was a great deal of talk in Ireland, and that a rebellion was seriously planned there can be no

reasonable doubt. Equally little doubt is there that serious preparations for a rebellion there were none; and that the heads of the movement, deceived by what they had seen passing on the Continent, altogether underrated the strength of their antagonists.

With clear evidence of the intentions of Smith O'Brien and his allies in their possession, the Government determined to prosecute them for conspiracy, and to take precautions against rebellion. The provisions of the English Acts of 1796 and 1817, amending the law of treason, were made to apply to Ireland, and the provisions of the Alien Acts were temporarily renewed. In the first instance, the proceedings against Smith O'Brien and his colleagues proved abortive; but in a further prosecution against Mitchel alone the Crown lawyers were more successful, and Mitchel was sentenced to transportation. A general rising was apprehended in consequence, and it was therefore deemed advisable to take the further precaution of suspending the Habeas Corpus Act till the 1st of March 1848. But no real preparation for rebellion had been made by the so-called party of action, and they were discouraged by the collapse of the Chartist movement in England in the month of April. After the suspension of the Act, Smith O'Brien, Meagher, and Dillon departed into the country from Dublin, and went through some of the forms of raising a revolt; but nobody joined them. There was an encounter with the police in Tipperary, at a place called Ballingarry, on August 5. Smith O'Brien was arrested, and the abortive rebellion was over.

In the trial which followed, Smith O'Brien and the principal leaders were condemned to death; but the sentence having been commuted, O'Brien and Meagher, together with John Martin, M'Manus, and O'Docherty, followed Mitchel to Van Diemen's Land. Such was the end of the "Young Ireland" party in Ireland. In other countries, many of their number proved that they had talents, which a wise administration would have known how to conciliate or to use for the service of the state at home. Thomas Davis, the ablest and most statesmanlike of his party, had been spared the pain of witnessing this failure.

With the view of restoring confidence, the Queen visited Ireland in 1849. The enthusiastic welcome she received from all classes of the population would, it might be supposed, have been a reason for the repetition of an experiment which had proved so successful. But it proved otherwise, and, with one exception, no attempt was made in the succeeding period again to evoke the sentiment of personal loyalty to the throne on the side of law and the existing system of government.

Ireland had been hard stricken by the famine; but the famine, by removing the unemployed population and the class of spendthrift landowners, had administered a bitter but effectual medicine to the principal evil of the country. The policy advocated by Sir Robert Peel began to bear fruit sooner than many had dared to anticipate. A period of growing material improvement succeeded; and it became apparent that before long it would no longer be necessary for Ireland to sue *in formâ pauperis* for the redress of her grievances, and to be perpetually enacting the part of Lazarus at the gate.

In the year 1841, according to the census report for that year, the waste lands of Ireland amounted to 6,489,971 acres. In the year 1881 the amount was only 4,729,251 acres. In other words, 1,760,720 acres of the whole surface of Ireland had been reclaimed in forty years, notwithstanding the immense diminution of population which was going on simultaneously.[1] A great change began in the

[1] See the notes in the Appendix to the "Report of Lord Cowper's Commission on the Statistics of Waste Land," by Dr. Grimshaw, registrar-general. "The decrease of waste land," he says, "between 1841 and 1851 was 1,073,652 acres; between 1851 and 1861 it was 828,228 acres; and between 1861 and 1871 it was 277,050. Between 1871 and 1881 an apparent increase of 418,210 acres took place, and the natural conclusion arrived at by any one testing the question in this manner, and without going into details, would be that during the last decade land in Ireland to the extent of nearly half a million of acres had fallen out of use. If a more detailed examination of this question is made, it will be found that up to the year 1876 the statistics show a general decrease of waste lands, with slight variations from year to year, sometimes showing a slight increase. From the year 1876 up to the present year the returns apparently point to a steady increase of waste land, and from this apparent fact the lamentable conclusion has been arrived at that

agriculture of the country, the land under tillage diminishing from 4,612,543 acres in 1851 to 2,939,708 in 1886, while the land under meadow and clover rose from 1,246,408 acres in 1851 to 2,094,138 in 1886, and the land under grass from 8,748,577 to 10,160,292. The landlords and tenants both largely increased their investments in the soil, and improved methods of cultivation and raising cattle began to come into general use. The number of oxen, bulls, and cows exported from Ireland to Great Britain rose, between 1847 and 1885, from 186,483 to 588,170; the number of calves from 6363 to 52,300; the number of sheep and lambs from 259,257 to 629,090; many of the intervening years, such, for example, as 1873 and 1882, showing even a higher return. A steady rise of wages continued over the same period, and the labourer and landlord both shared in the increasing prosperity of the farmer. It was not until a succession of wet seasons, at the close of the period on which we are now entering, had depressed the tillage farmer by the partial destruction of his crops, and the sudden increase of foreign competition had lowered the prices which the grazier and stock-farmer could obtain for his beasts, that the era of serious agrarian trouble again commenced in Ireland. But, as will be seen, there was another side to the picture; for though calmed by

Ireland is steadily 'going back to bog and waste.' The real facts of the case are these:—In the earlier days of the collection of agricultural statistics it was thought unnecessary to go into too minute detail; and thus if a grazing farm on a mountain-side had a strip of barren mountain-land at the top, and a little bit of marsh at its lowest level, the whole area would be probably put down as grass. No doubt nearly all was grass, but the stony part and the marshy part were practically useless, and therefore the area of such a farm should have been divided among all these elements, and only the usable grass included as pasture. For some years prior to 1876 greater care was enjoined on the enumerators, and land not actually used for grazing or other purposes was, unless of good quality, classed as waste. In 1877, in accordance with the increased accuracy demanded by advancing knowledge, a still further detail was insisted on, and the enumerators were required to ascertain, as *nearly as possible*, the amount of land available for use, and how it was employed, and also how much bog and marsh, barren mountain-land, etc., was actually in the area of each farm. It has been this picking out of little scraps of waste of all kinds that has during the past few years apparently so diminished the land in use in Ireland."

natural prosperity, nevertheless under the surface the mutterings of the everlasting land-question were from time to time still to be heard, warning the world of its continued life and existence. While the cheers which greeted the ship which bore the Queen back to the shores of England were still echoing, the first steps for the formation of a tenant-right league, which was to unite the farmers of the north and south, were being taken. The leaders of the Federalist party were also asking themselves whether they might not succeed, even if both the repealer and the revolutionist had failed, in securing an alteration in the constitutional relations which bound Ireland to the rest of the United Kingdom, and whether an increase of the wealth and the education of the country would not afford a stronger basis for a claim to confidence in the powers of the people for self-government than the appeal from rags, poverty, and destitution.

It has been seen that Mr. Sharman Crawford and many of the northern Protestants, as well as some of the more moderate Catholic laity and clergy, had expressed their adhesion to this order of ideas. O'Connell himself had evinced a desire, after the failure of the Repeal movement, to direct the energies of his countrymen into this channel, but had been frightened by the denunciations of Davis and the Young Ireland party into a rapid abandonment of the new platform. Amongst the antagonists of Repeal a prominent position had been occupied by Mr. Isaac Butt, a man of great eloquence and varied abilities. Like Grattan, Mitchel, and so many other Irish leaders, he was a Protestant. He had been educated at the University of Dublin, where at one time he had held the professorship of political economy; he was the author of a "History of Italy"; he had rapidly obtained a leading position at the Irish bar, and had defended Smith O'Brien and his companions in the recent State Trials with consummate skill. On the other hand, he had led the opposition in the Dublin town council to the motion brought forward by O'Connell in favour of repeal, in a speech of marked ability, after hearing which O'Connell is said to have declared that

the day would come when Isaac Butt would be found on the popular side. He was now devoting his great capacity to the construction of a plan for the future relations of Ireland and Great Britain, which he believed would command assent on both sides of St. George's Channel, and might even find acceptance with the Conservatives of Ireland, to whose ranks he still considered himself to belong. The ideas which inspired him and others came to be known as those of "Home Rule for Ireland," and, though as yet but vague and shadowy in outline, began to substitute themselves for the cry of Absolute Repeal as the expression of the national discontent.

"Ireland," said Thomas Reynolds, one of the followers of O'Connell, after the decision to abandon the great meeting at the scene of Brian Boroimhe's victory, "was won at Clontarf, and she is going to be lost at Clontarf." The cause of Absolute Repeal certainly never recovered that famous day. It remained to be seen whether some other solution was possible, which, modelled on the experience of the United States, mighty satisfy the legitimate aspirations of Ireland without alienating the support of the British people. Meanwhile the rulers of Great Britain had determined to govern Ireland on what appeared to them to be just and liberal principles, without reference to the views of the popular leaders. It would seem that Lord John Russell and Lord Palmerston had been profoundly impressed by the fall of the Melbourne administration having been mainly due to the unpopularity in England of the alliance with O'Connell, and they were determined to avoid repeating that error. With the death of Lord Bessborough, the principal advocate of the old policy had disappeared; consequently, though the Whigs were now in office, it was Peel's policy which prevailed—the policy of trusting to the material development of the country, and to even justice, administered by a highly centralised administration, as the remedy for agrarian and political discontent.

PART V

FROM THE INSURRECTIONARY MOVEMENT OF 1848 TO THE LAND ACT OF 1870

By G. P. MACDONELL

I

THE ENCUMBERED ESTATES ACT—THE TENANT-RIGHT LEAGUE

In following the course of Irish events during the past forty years, we feel at every step that we are moving in the shadow of the famine. Lapse of time has not effaced the impression made upon the Irish mind by that great catastrophe. In the widespread discontent, never far below the surface even during the tranquil years before the Fenian outbreak, we can thenceforth observe a fresh element of bitterness and hate. The feeling that prompted coroners' juries to return verdicts of "wilful murder against John Russell, commonly called Lord John Russell," still breaks out when Irishmen recall the "black forty-seven"; while a like feeling, carried away with them by streams of emigrants, cherished by them, and transmitted to their children, brought about that close relation between America and Ireland which in recent years has been one of the strongest forces of Irish agitation. On English opinion the famine produced an effect much less enduring, but hardly less important. It seemed to have altered the whole problem of governing Ireland, and even after the memory of its horrors had grown dim we can trace its influence in the long and successful resistance to Irish demands, and in the sanguine hopes that were entertained of peopling

the country with Protestant Saxons in the room of Catholic Celts.

Before we continue the story, it may be well to sum up a few of the more immediate and obvious results of an event which has thus been regarded on the one side as a great crime, and on the other as a terrible remedy for a desperate disease. In 1841 the population had been 8,175,124; in 1851 it was reduced to 6,552,385. The census commissioners calculated that if the ordinary rate of increase had been maintained, the population in 1851 would have been 9,018,799, or about two and a half millions more than it was in fact. In Leinster the population diminished 15.25 per cent.; in Ulster, 15.70; in Munster, 22.47; and in Connaught, 28.81. For every square mile in Ireland there were 49 fewer persons in 1851 than in 1841. In county Mayo the number per square mile of arable land fell from 475 to 225; in Kerry, from 416 to 216; in Monaghan, from 428 to 288. In 1841 there were 1,328,839 houses in Ireland, and in 1851 only 1,046,223, and the decrease took place only in the lowest of the four classes into which houses are divided in Irish statistics. There were 355,689 fewer mud cabins with a single room than in 1841; in Ulster, the decrease was 81 per cent.; in Connaught, 74; in Munster, 69; and in Leinster, 62. In 1841 there were 697,549 holdings under 15 acres, and in 1851 only 307,665; on the other hand, the number of holdings over 15 acres increased from 127,967 to 290,401. The landlords and the poor law, as well as disease and starvation, were clearing the rural districts. In the years 1847, 1848, and 1849, the number of ejectment processes in the superior courts and the assistant-barristers' courts was 32,531, the plaintiffs obtaining judgment in 25,739 cases. The constabulary returns of evictions begin in 1849; and we find that, in the four years 1849–1852, 58,423 families were evicted, or 306,120 men, women, and children. The poor law, while it increased the burdens of landowners, provided also an effective means of clearing their estates. The "quarter-acre clause" left the peasants no choice. So great was their necessity that its effect was to make them abandon

their holdings, and not to lessen the amount of pauperism. If the Act of 1847 had been purposely framed for the weeding out of the Irish cottiers, it could not have been more effectual. The actual diminution, as distinct from the shifting, of the population was mainly due to death and emigration. From 1846 to 1851 nearly a million persons died, and more than a million emigrated. With the favourable season of 1850 the death-rate declined, but emigration continued steadily to drain the country. So far from requiring to be driven to it, the people grew more and more eager to depart. This feeling "pervades every class," wrote Sir G. Nicholls in 1853, "and is strongest with the best educated and most intelligent. I found this to be the case with the boys in the workhouse schools. The sharp, active, intelligent lads were all eager to emigrate. It was only the more dull, feeble, and inert who appeared content to remain at home."[1] In 1852 the emigrants numbered 220,000; and in 1853, 192,000. From 1852 to 1861, the number was 1,123,000. About 40 per cent. of these were between twenty and thirty years of age, and about 75 per cent. were between ten and forty years.

Hardly less striking than the magnitude of the emigration was the fact that, after the first years of panic, it was accomplished mainly by the people themselves and by their friends. Between 1848 and 1864 the Irish in America sent home, either in the form of prepaid passages or of money, more than £13,000,000 to enable those who remained to rejoin them.[2] That this great sum should have been saved for such a purpose is a marvellous testimony to the strength of the family tie among the Irish people, but it proves also how hopeless, in the opinion of the earlier emigrants, the situation had become.

If Ireland had been afflicted by nothing else than the overcrowding of the rural districts, disease, eviction, and emigration would have gradually worked an effectual cure.

[1] Letter quoted in his "Irish Poor Laws," p. 401.

[2] The figures for each year, from a return of the Government Emigration Board, are given in Lord Dufferin's "Irish Emigration and Land Tenure," p. 36. There were also considerable contributions from Australia.

We shall find, however, that the relief was to prove only partial and temporary. The poison of other evils remained. The previous story has made clear that in a great measure those were right who attributed the distressful condition of the country to English misgovernment. "Bad legislation, careless legislation, criminal legislation, has been the cause of all the disasters we are now deploring;" so said Mr. Horsman in 1849,[1] and the substantial truth of the charge was not disputed by any English statesman out of office. Not less certainly could the misgovernment be traced to the dominating influence of the Protestant and landlord minority, for whose benefit an English Church was maintained by the State, in whose interest an English land system was artificially propped up, whose voice alone was heard in the administration of the law, and whose persistent opposition made nearly every reform impossible. Notwithstanding recent changes, that minority still practically held political supremacy in Ireland, and they gave no sign that their temper had altered, or that they clung less tenaciously than of old to their position of privilege. Thus the thinning of the cottier population did not touch many of the roots of Irish disaffection. What it did was to bring the country into a situation eminently favourable for a reversal of the old and discredited policy. On the one hand, the great diminution of the population averted many of the dangers which must attend a sudden interference with even the worst social arrangements; while, on the other hand, the ordinary excuse of English apathy and prejudice could not be pleaded as a reason for postponing the work of reform. Popular feeling had been roused in England by the action of Irish landlords. English newspapers denounced them in language of extraordinary vehemence, and with scarcely any reserve or qualification declared them responsible for the miserable condition of the peasantry. Seldom have any class of men been visited with public condemnation so general and unsparing. The blame, indeed, was not theirs alone. Even their persistent neglect of the duties of property could not

[1] Hansard, July 23, 1849.

have brought the country to such a pass but for the countenance of English Governments and the indifference of the English people. Nevertheless, whether the blame was fairly apportioned or not, the prevailing indignation gave an opportunity which a great statesman would have been quick to seize.

The opportunity passed away almost unused. Except the Encumbered Estates Act of 1848 and 1849, no serious effort was made during Lord John Russell's administration to deal with the condition of Ireland. Several feeble attempts to settle the question of tenants' improvements came to nothing. In 1848, Mr. Sharman Crawford's Bill for extending the Ulster custom was rejected; as already stated, a Bill introduced by Sir William Somerville, and containing the same provisions as Lord Lincoln's Bill of 1846, was referred to a select committee and no more heard of. In 1849 nothing was done. In 1850, Sir William Somerville's and Mr. Crawford's Bills again appeared, and were again dismissed. There the question remained until Irish agitation compelled a Tory Government to take it up with some show of resolution.[1]

The Encumbered Estates Act, finally passed on July 28, 1849, was certainly a measure of real importance, and it exercised a profound influence on Irish land-holding. The impoverished state of many Irish landlords had long been notorious. With their estates mortgaged up to the hilt, and weighted by settlement charges, they were bad landlords because they could not afford to be good landlords. Lack of means prevented them from effecting im-

[1] In 1851 the position of the tenants was rendered more insecure than ever by an important change made in an Act to regulate the procedure in the Irish county courts. Up to that year the remedy of ejectment for rent in arrear was not applicable to tenancies from year to year not created by written agreement. It was necessary for the landlord to determine these tenancies by notice to quit, and the delay which this involved was a very great protection to the tenants. By the Civil Bill (Ireland) Act, 1851, sect. 73, this protection was taken away from yearly tenants whose rent was under £50; they were placed in the same position as tenants under a written agreement (see Richey's "Irish Land Laws," p. 41). In 1851 there were 608,066 holdings in Ireland, and probably not more than 30,000 of these were over £50.

provements, and the conduct of such of them as behaved with indulgence and liberality to their tenants in times of distress must be considered as unusually meritorious. Neither they nor their creditors could end the difficulty by a sale, so long as the various encumbrances and other interests had to be dealt with before the estates could be transferred. Mortgagees might get a decree for sale in the Court of Chancery, but the tedious and costly process of working it out often made the decree worse than useless. A great part of Irish land was thus practically unsaleable. The Devon Commission had strongly recommended the adoption of some means of facilitating the sale of such estates, and after their report the famine and the repeal of the corn laws had enforced their argument by plunging the landlords deeper than ever into insolvency. Parliament passed the Encumbered Estates Act simply as a measure of desperate necessity. Shortly stated, its object was to enable the court, on the petition of a creditor or of the landlord himself, to sell the encumbered estate and to give an indefeasible title to the purchaser; so that persons who before had a claim on the estate should now have a claim only on the purchase-money.[1] This was very strong legislation to come from a Parliament the majority of whose members regarded Mr. Sharman Crawford's Bill to legalise the Ulster custom as a proposal of confiscation. With good reason could Mr. Butt point to the Encumbered Estates Act as a striking instance of interference with the rights of property. "In many of its provisions," he said, in his vigorous language, "that Act entirely disregarded vested rights. It set aside the most solemn contracts. It compelled creditors to submit to a sale, who had an express contract that no one should ever disturb them in their claim on the land except by paying off that claim. It forced properties to a general auction, to be sold for what-

[1] The Act was temporary, but four later Acts continued the Encumbered Estates Court till 1858, when the whole system was revised. In that year the Landed Estates Court was established, with jurisdiction to carry out sales and give an indefeasible title in respect of any kind of interest in land, whether encumbered or not.

ever they could bring, at a time when legislation had imposed new and unheard-of burdens upon landed property. At a time of unprecedented depreciation of the value of land, it called a general auction of Irish estates. I have always believed, I still believe, that English history records no more violent legal interference with vested interests than the provisions by which this statute forced the sale of a large proportion of the landed property of Ireland, at a time when no prudent man would have set up an acre to be sold by public competition. It exterminated, no doubt, many insolvent proprietors, but it ruined many solvent ones; and in the process it beggared many, both proprietors and creditors, who but for its operation would now be independent, in the possession of the properties of which it deprived them."[1] The full practical effect of the measure was not clearly foreseen, but as to its real character there could never have been any mistake. The emphatic rejection of a proposal to apply it to England as well as to Ireland showed that it was regarded as a bold and exceptional measure. It is well to keep this in mind; for in some degree it relieves the landlords and those who espoused their cause in Parliament from the reproach, to which in discussing the question of legislative interference on behalf of the tenants they laid themselves open, of adhering with pedantic rigour and in defiance of circumstances to a narrow theory of the rights of property.

Mr. Butt did not exaggerate the disastrous working of the Act in its early years. The court was crowded; the land market was glutted; and estates were sold at prices which did not cover the mortgages, and which left the owners penniless. Nothing could have demonstrated more clearly how utterly rotten the whole land system in Ireland

[1] "Land Tenure in Ireland," 3rd edition, p. 78. "The effect of that single Act of Parliament," said Mr. Fitzgibbon, "was to take from landowners, and their creditors, property worth twenty-five millions to which they had a title as perfect as law could make it, and to transfer that property to new owners for about ten millions, thus confiscating Irish property in land, to the extent of fifteen millions, by legislation *ex post facto*, a species of tyranny unexampled in any other free country in the world" ("The Land Difficulty of Ireland," p. 55).

had been. As time went on, the pressure relaxed, and the Act worked with less harshness. Looking at its results as a whole, Professor Cairnes was of opinion that "of all measures passed in recent times it is that one of which the beneficial effects have been most widely and cordially recognised"; and he enumerated among its results the large elimination of needy petty squires, the exclusion of insolvency generally from the landlord body, the introduction of self-made men, purchasing land as a pecuniary investment, and prepared to manage properties on mercantile principles with a view to profit, and the greater equalisation in the size of estates, and by consequence a more equal distribution of wealth among landowners.[1] But the matter had another side. The new landlords who bought their land with a view to profit proved to be very hard masters. Purchasers were attracted by the knowledge that the old landlords had not used their powers to the full. The advertisements of sales frequently stated that the property could bear a much higher rental, and the rents were raised accordingly. The Law Life Insurance Company, for instance, acquired a large estate in Connemara for £180,000, and, after realising £70,000 by sales, were said to be drawing more than £10,000 a year from the residue, a sum considerably exceeding the rental of the previous owner for the whole property.[2] All this meant a disregard of the customs by which, in various parts of the country, the tenant had established, if not a right of possession in his holding, yet at least a strong and recognised claim upon his landlord. The court did not, and as the law stood could not, take account of these customary rights; and the new purchasers had no scruple in overriding them whenever they dared. This circumstance is of vital importance in the history of the struggle for the legalisation of tenant-right. The most bitter opposition came, not from the old race of landlords, between whom

[1] "Political Essays," pp. 173, 179.

[2] Coulter, "West of Ireland" (1862), p. 95. Mr. Coulter adds that they did not spend a shilling on improvements. See also Mill, "Political Economy," book ii. ch. x. § 2.

and their tenants the tribal sentiment was not yet effaced, but from the men who bought their property in the Encumbered Estates Court.

Another matter deserves mention. It was expected that English and Scottish purchasers would come forward, and that gradually a great part of Irish land would fall into their hands. In this respect the Act entirely failed. Up to the time of the creation of the Landed Estates Court in 1858 the number of purchasers was 8952, of whom 8528 were Irish; the purchase-money amounted to £23,161,093, of which £20,000,769 were Irish capital. In this case, as in so many others, the hope of reforming Ireland by introduction of English habits came to nothing.[1]

The Whig administration, whose general policy was to leave things alone as much as possible, is distinguished by no other Irish measure of importance. The Franchise Act of 1850 was less a reform of representation than an exhibition of the way in which the representative system was caricatured in Ireland. While in Great Britain the electors were twenty-eight per cent. of the male adult population, in Ireland they were less than two per cent. The Bill as introduced by the Government would have raised the percentage to fifteen; an amendment carried in the House of Lords brought it down to eight; and in its final form the Bill left the percentage at about ten.[2] The measures passed for the maintenance of order need not detain us, as they show no variation from the common forms of Irish coercion. The Habeas Corpus Act was suspended for six months in 1849; the Crime and Outrage Act of 1848 was renewed in 1850 for eighteen months; and the Unlawful Oaths Act was con-

[1] Miss Martineau has another complaint against the Act. "What a pity it is," she says, "that the Quakers cannot purchase in the Encumbered Estates Court! . . . The arrangement about tithes precludes their buying those estates" ("Letters from Ireland," 1852, p. 148).

[2] On the state of the Irish franchise in comparison with that of England, and on the Act of 1850, see Barry O'Brien, "Fifty Years of Concessions to Ireland," vol. ii. pp. 153–171. The number of registered electors after the Act was—in counties, 135,245; in counties of cities and towns, 20,255; in boroughs, 8046: total electorate in Ireland, 163,546 (Parliamentary Paper, June 6, 1851). In 1868 the borough franchise was lowered to £4, and the lodger franchise instituted.

tinued in 1851. These Acts formed part of the permanent machinery of Irish government. Nor need we dwell upon Lord John Russell's Durham letter of 1850, and the Ecclesiastical Titles Act of 1851, which raised so great a tempest of religious passion. The Act was never enforced, but, as the subsequent agitation showed, a worse service was never rendered to the cause of Protestant Ascendency in Ireland than by this renewal of the "No Popery" cry.

Of greater significance than any completed measure was a very remarkable and almost revolutionary proposal made by Lord John Russell in 1850, in the shape of a Bill for the abolition of the office of Lord-Lieutenant, and for placing Irish affairs in the hands of a new Secretary of State. It was not, indeed, a novel suggestion. At one time the abolition of the viceroyalty had been generally regarded as a necessary consequence of the Act of Union, to be carried out in some favourable period of tranquillity. Sir Henry Parnell had continued to urge it strongly; and M. De Beaumont, though he did not dispute the necessity for a special Irish Government, failed to see why the seat of that Government should not be in London. Mr. Joseph Hume had already twice brought the subject before the House of Commons, in 1823 and 1830, and on the second occasion had received considerable support. At length, in 1847, Lord Clarendon, in accepting the post of Lord-Lieutenant, made it a condition that the Government should take the first opportunity of removing the anomaly, and in fulfilment of the promise then given, Lord John Russell introduced the Bill of 1850. His argument was that Ireland required a minister in the Cabinet, always at hand to consult with his colleagues; that the necessity of having an executive officer in Ireland was now obviated by the improved means of locomotion; that, as things stood, the Lord-Lieutenant, though having the semblance, had not the immunity of royalty, and was constantly subjected to personal attack; and that his removal would tend to greater harmony of administration "by mixing and confounding the administration of Ireland with the general administration of the United Kingdom." He indicated

also that the queen intended to visit Ireland from time to time, and that the viceregal lodge in Phœnix Park was to be maintained as a royal residence. The measure was supported by Mr. Joseph Hume, very hesitatingly accepted by Sir Robert Peel, and treated with scoffing indifference by Mr. Disraeli. On the Irish side it met with strong opposition. Mr. Grattan, son of the great Grattan, regarded the viceroyalty as "the remnant of Irish dignity and nationality"; and Mr. Napier, one of the least prejudiced of Tories, protested against the vain notion of identifying Ireland with England. The second reading was carried by 295 to 70, and there the Bill ended. No Government has ever since renewed the proposal. The failure of the attempt was regretted by many persons, and particularly by a section of the Anglo-Irish colony, who longed to bring their country into the English current. "Abolish it," said Lord Rosse to Mr. Nassau Senior in 1852. ". . . It is a mere hotbed of jobbery, corruption, and maladministration. The queen is neutral; but in Ireland, as if there was not enough of party-feeling already, her representative is always a strong party-man. It ought not to have survived steam; that it should be co-existent with the electric telegraph is monstrous."[1] Mr. Senior frequently heard the same opinion from Archbishop Whately, who declared that "the abolition of this phantom of independence is the first step towards the consolidation of the two countries."[2] In England, however, the scheme dropped almost entirely out of political discussion. In 1857 and 1858 it was again pressed on Parliament by Mr. Roebuck, but on both occasions his motion was rejected, though scarcely a single English member disputed the principle for which he contended.

Why was the scheme abandoned? On account of the practical difficulties, said Lord John Russell in answer to Mr. Roebuck, of finding a substitute for the viceregal

[1] "Journals, Conversations, and Essays relating to Ireland," vol. ii. p. 34. Party-feeling ran so high that, it was said, the law officers on one side did not meet in private society the law officers on the other side.

[2] Ibid., pp. 60, 138, 265.

system: they were greater than he had realised in 1850. In other words, the circumstances of the two countries differed so profoundly that the policy of mixing and confounding the administration of Ireland with the general administration of the United Kingdom proved to be unreal and impossible. To have made Cork like York, as the phrase went, would have been to give up the system of extreme centralisation by which Ireland was governed, and would have brought about a greater revolution than the most ardent repealer had ever dared to dream of—a revolution of which the abolition of the viceroyalty would have been a mere incident, and a comparatively unimportant one. Lord John Russell meditated no revolution when he made the proposal in 1850. So far from being a step towards a real assimilation, the removal of the seat of government from Dublin to London would have had the effect of forcing Ireland more completely into the English mould. For this reason it found no favour with those who believed that the more conspicuous were the outward differences between England and Ireland, the more likely were the needs of the latter country to compel attention.

II

THE TENANT-RIGHT LEAGUE—THE IRISH CHURCH MISSIONS—THE NAPIER LAND BILLS

MEANWHILE Ireland was in a state of political, social, and religious ferment. A vigorous land agitation was proceeding, which, though itself fruitless, anticipated and facilitated the successful agitation of a later time, for a brief period brought the south into alliance with the north, and showed that for their common interests Catholic and Protestant might work heartily together. The founding of the Callan Tenant Protection Society in October 1849 may be said to have first given a definite shape to the tenants' demands. A great part of Callan belonged to the Earl of Desart, concerning whose property at this time it has been stated that "the ordinary fences along the road and through the fields consisted too often of bedsteads and fragments of broken furniture."[1] The place was thus not ill-chosen for the founding of a society whose members' cards, Sir Gavan Duffy tells us, bore as motto Thomas Drummond's famous saying, "Property has its duties as well as its rights."[2] Other districts quickly followed. Tenant Protection Societies sprang up throughout the south and west, and early in 1850 the tenants of Ulster, who at the beginning of the famine had formed a general Tenant-Right Association, adopted the same plan of local defence. The next need was a central authority which should give a definite aim and policy to these scattered bodies. On May 11, 1850, a conference was summoned "to devise some specific measure of legislation to be sought for, and some plan of united action for its

[1] "Life of Frederick Lucas," vol. ii. p. 219.

[2] "League of North and South," p. 20. See Sir Gavan Duffy's work generally on the tenant-right agitation of this period.

accomplishment." The conference, which met in Dublin on August 6, presented such a spectacle as Ireland had not witnessed since the years when Protestants and Catholics met together to condemn the Union. Let one who was present, and who has a just pride in the part which he played in those days, describe the gathering. "Reserved stern Covenanters from the north," says Sir Gavan Duffy, "ministers and their elders for the most part, with a group of brighter recruits from a new generation, who came afterwards to be known as Young Ulster, sat beside priests who had lived through the horrors of a famine which left their churches empty and their graveyards overflowing; flanked by farmers who survived that evil time like the veterans of a hard campaign; while citizens, professional men, the popular journalists from the four provinces, and the founders and officers of the Tenant Protection Societies, completed the assembly."[1] No dissenting voice was heard when an Ulsterman and Presbyterian, Dr. McKnight, the editor of the *Banner of Ulster*, who had for years been pleading the tenants' cause, was chosen as president. After three days' discussion, marked by earnestness, spirit, and harmony, the conference resolved upon a bold and distinct programme, the terms of which have since become household words in Ireland. Fair rents determined by valuation; the exclusion of tenants' improvements from the valuation; security from disturbance of possession so long as the valuation rent was paid; and a provision of relief with regard to arrears of rent which had accrued due during the famine—these were the chief points which the delegates decided to press upon Parliament.[2] The conference concluded by formally establishing the Irish Tenant-Right League, and by appointing a general council of the four provinces. From the existing Parliament, in which Ireland

[1] "League of North and South," p. 49; and see Sullivan's "New Ireland," chap. xiii.

[2] In the address issued to the Irish people by the council of the Tenant League, February 1, 1852, it was said, "Their entire aim was (1) to ascertain by fair arbitration what is a fair rent, and (2) to secure the occupier who pays it from capricious eviction."

had few representatives sympathetic to the movement, nothing was expected, and for the next two years the leaders devoted themselves mainly to popular agitation. Deputations were sent to all parts of the country to spread the principles of the league, to enrol new members, and to form local organisations. Presbyterians went to preach the cause in the south, and Catholics to preach it in the north. Everywhere the meetings were enthusiastic. By the new hope held out to them, the whole people were roused from the state of lethargy into which they had fallen. Not less remarkable than the energy of the missionaries of tenant-right was the ability with which the cause was pleaded in the press. The *Nation* had lost none of its vigour by adopting the "constitutional" methods which excited Mitchel's bitter contempt; while week after week in the *Tablet*, which had been transferred to Dublin in 1850, Lucas appealed for justice to Ireland in such words of passion as can hardly be matched in journalism. So far as it depended on Irish opinion the triumph of the league seemed to be assured.

It was a league of north and south, but only partially a league of Protestants and Catholics. The Presbyterian leaders stood with the people, but the Episcopalians were mostly ranged on the landlords' side. We should omit one of the most important facts of the time, and fail to understand the enthusiasm with which the priests threw themselves into the strife, were we to disregard the fresh outburst of religious passion which followed the famine. The priests were fighting their own battle in fighting that of the tenants, and, if they displayed an excess of zeal, not they, but the Protestants of the Established Church should be called the aggressors.

There existed in England a general belief that the evils of Ireland could be traced to the Roman Catholic religion, and to the power exercised over the people by a peculiarly ignorant and grasping priesthood. Most of the English visitors to Ireland returned with the same tale. Sir Francis Head wrote his experiences in order to show that the priests were the cause of Irish misery. Miss

Martineau has hardly a good word for them. Pamphlets innumerable were written to expose the tyranny under which the people were groaning. The conviction became more firmly rooted than ever in the English mind, that rather from habit and through intimidation than from faith or affection did the people cling to the Roman Catholic Church; that they could be won over by a zealous effort; and that the time so long foretold had at length come for making Ireland Protestant. "The walls of Irish Romanism," said one of the chief proselytisers, "had been circumvented again and again, and at the trumpet-blast that sounded in the wailings of the famine they may be said to have fallen flat. This is the point of hope in Ireland's present crisis."[1] "Within a couple of years," said Sir Francis Head, "there can exist no doubt whatever that the Protestant population of Ireland will form the majority."[2] It needed the census of 1861 to dispel this extraordinary delusion.

Since 1818 the Irish Society had been labouring to spread the Irish Bible among the Roman Catholics, and it was said to have achieved a very gratifying success. In the famine years a more determined attack was made under the leadership of the Rev. Mr. Dallas, formerly an officer in the army. He organised a small band of lay missionaries called "messengers," whose duty it was to move about among the people, to distribute tracts, to spread the Bible, and to seek opportunities of discussing the demerits of Roman Catholicism. Ample funds were furnished by zealous friends in England, as much as £10,000 being collected in one summer, and the Society for Church Missions to the Roman Catholics of Ireland was established to carry on the work on a large scale. This aggressive policy led to retaliation. The Catholic

[1] "The Point of Hope in Ireland's Present Crisis," by the Rev. A. R. C. Dallas, p. 148.

[2] "A Fortnight in Ireland," p. 393. For a fine example of the anti-Catholic literature of the time, see "The Mystery Solved: or, Ireland's Miseries; the grand Cause and Cure," by Dr. Dill, Secretary of the Scottish Reformation Society: a book which was distributed among members of Parliament in 1852.

Defence Association publicly declared that a systematic plan was on foot of proselytising the Catholic poor by corruption and intimidation. With remonstrances and threats the priests appealed to the people in public and in private. The people themselves expressed their resentment by refusing to have any dealings with the converts, and by subjecting them to various other forms of persecution.[1] This was not mere intolerance; it was a protest against the means by which the conversions were obtained. "The fact that their great success dates from the famine," says a friend of the missions, "seems to point very plainly to the relief given in connection with the Protestant missions as one great cause of the reception of Protestant teaching; for, as well as one can understand the facts in the absence of clear information, it appears that relief was given in connection with mission schools by another association."[2] An indignant denial met those who questioned the purely spiritual character of the conversions. Mr. Dallas challenged Mr. Wilberforce, the secretary of the Catholic Defence Association, to produce before a court of arbitration a single instance in which anything had been proved that could be characterised as bribery and intimidation on the part of the Irish Church Missions.[3] It is

[1] A society for the protection of the rights of conscience was formed to deal with such cases. Nominally, it offered protection to persecuted persons of any religion. See Whately's account of it: Senior, "Conversations," vol. ii. p. 161.

[2] "Essays on the Irish Church," p. 286. The absence of clear information is very remarkable. In the "Incidents in the Life and Ministry of the Rev. A. R. C. Dallas," by his widow, the interesting part of the story is passed over lightly. See, however, as to the charge of bribery and the denial, the "Correspondence between Rev. G. Webster and Revs. H. C. Eade and A. R. C. Dallas" (1864).

[3] See article on the "New Reformation in Ireland," in *Quarterly Review*, June 1852. The following story was told by Mr. Corbally, M.P., at a meeting of the Catholic Defence Association:—"A man in his locality, who was now a soldier, has been generally reported as a convert. It had been said that he had read his recantation for the purpose of earning what he called an 'honest livelihood.' He met the man, and asked him had he turned? the reply was, 'Yes, your honour, and I was very badly paid for it. I read my recantations in six churches in seven weeks, and I have nothing for it but the right of fishing in Lough Sheelin" (*Freeman's Journal*, January 30, 1852).

difficult to decide between the accusation and the denial, inasmuch as the history of the missions has never been told with the fulness and candour to be expected from men engaged in the spread of truth. The opinion of the people themselves, however, should go for something in such a matter, and that opinion is preserved in the contemptuous names of "jumpers," or "soupers," by which converts were known. If, moreover, Dr. Byrne's statement is correct, that conversion was undertaken by one society and relief administered by another, Mr. Dallas's challenge was a very safe one.[1] Be this as it may, the missions did incalculable mischief. They absolutely failed of their purpose. So far from Protestantising Ireland, they made it more intensely Catholic than ever. They aggravated the religious strife which Englishmen were never weary of describing as the curse of the country, and in so doing they widened the gulf between rich and poor. With their barely honest statistics of conversion, they fostered the notion that the growth of Protestantism would of itself solve all Irish questions. Lastly, they made it impossible for Protestants and Catholics to co-operate in carrying out the undenominational system of education. The close of the educational truce was one of the most direct results of the outburst of religious zeal. That section of the Roman Catholic clergy, of which Archbishop McHale had been the chief, and which had all along been opposed to the non-sectarian plan, had now, as a consequence of Protestant aggression, acquired the predominating influence. Dr. Cullen, who had been appointed to the see of Armagh on the death of Dr. Crolly in 1849, refused to continue the arrangement under which Dr. Murray and Archbishop Whately had worked together. He declared it to be "contrary to the spirit and practice of our Holy Church to sanction united religious instruction, or to sanction any instruction in matters connected with religion given to Catholics by persons who themselves reject the

[1] It should be stated that Dr. Killen, whose "Ecclesiastical History of Ireland" has the rare merit of general fairness, regards the charge as "a baseless calumny" (vol. ii. p. 504).

teaching of the Catholic Church."[1] And this in substance was a condemnation of the national school system and of the Queen's Colleges. That he expressed the general Catholic opinion appears from the fact that the condemnation of the colleges was unanimously agreed to by the Synod of Thurles in 1850. In exciting this opposition Archbishops Cullen and McHale exercised great personal influence, but its real strength was due to the profound distrust excited by the methods of the Anglican Church. The national schools, it was felt, were, contrary to agreement, being used for the spread of Protestantism, and the experiment of united education was discredited. From that time denominational education became one of the chief of the Catholic claims.[2]

Thus, while the land question overshadowed every other, behind it stood the questions of the Church and of education; and in different forms they each involved a struggle of the bulk of the people against the ascendency of a minority. They were bound up together. In each case the opposing parties were the same. Success or failure in one direction meant strength or weakness in other directions. On the land question, which was by far the most urgent, the priests, both by birth and the circumstances of their life, would in any event have been led to the tenants'

[1] Quoted in Seddall's "Church of Ireland," p. 159.

[2] The history of the educational controversy in Ireland would require a volume to itself, so great has been the difference of opinion on the simplest matters of fact. A few dates, however, might be given. In 1850 the Synod of Thurles unanimously condemned the Queen's Colleges. In the same year the Queen's University was founded, with the power of granting degrees to students who had completed their studies in the Queen's Colleges of Belfast, Cork, and Galway. In 1853 the commissioners of national education decided to discontinue, as offensive to Roman Catholics, certain religious books, which had been in use in the schools, and which had been presumed to be of a non-controversial character, and Archbishop Whately, Lord Chancellor Blackburne, and Baron Greene at once resigned, alleging somewhat strangely that the Roman Catholics had broken faith. In 1854 the Roman Catholic University was founded, under the presidency of Dr. Newman. In 1860, after many complaints of the way in which the schools were used for proselytising, some changes favourable to the Roman Catholics were made on the board, the chief being that the number of members was raised to twenty, of whom ten were to be Catholics.

side. But the fervour with which so many of them joined in the agitation of tenant-right can be explained only by their well-grounded belief that in breaking down the power of the landlords they were taking the first and a necessary step towards breaking down the power of the landlords' Church. It was for a religious cause that the priests entered into politics in 1826, and it was for their religion that they fought in 1852.

In the election of 1852, the league laboured with extraordinary energy to secure the return of a strong tenant-right party. Their first aim was to keep out the Whigs. Nothing could be lost by so doing, and much might be gained, for a Derby administration might have a more generous, and could not have a less sympathetic, Irish policy than that of Lord John Russell.[1] But the contest did not proceed on mere Whig and Tory lines. The candidates were pledged not only to advocate tenant-right in Parliament, but to adopt a policy of independent opposition, holding themselves aloof from both English parties and supporting no Government which refused to grant a satisfactory tenant-right measure. In Catholic constituencies they were required to press for a repeal of the Ecclesiastical Titles Act, to support a measure for appropriating the revenues of the Established Church to useful national purposes, and to oppose every ministry which did not actively favour their objects. In some cases even a pledge was required that the candidate, if elected, would resign his seat when a majority of his constituents called on him to do so. Extreme pressure was put upon the electors by both sides. It is difficult to find the truth in the exaggerated statements of the time, but there is no doubt that landlords and priests freely used their great powers. A Protestant pamphleteer, indeed, went so far as to say that in the counties "we have evidence that there were *no free elections*

[1] The *Nation*, in announcing the fall of the Russell administration, said, "The most villainous administration that ever marred Irish affairs is hopelessly foundered. We thank God very heartily for their downfall. Old and bitter enemies of Ireland fill their places. But if it were Satan himself, instead of Scorpion Stanley, who became Premier of England, the change would be a welcome one to the Irish people" (February 28, 1852).

where the priesthood meddled;"[1] and he quotes some interesting examples of their violent language. "If there be a Catholic elector of this borough," said the Rev. John Maine, addressing a meeting at Tralee, "who will dare to go forward and register his vote for an English enemy, pass him by with scorn and contempt; do not be seen to walk with him, to talk with him, or associate with him. Let him fester in his corruption; be not you contaminated by any contact with a wretch so base and degraded. Despise him; if you meet with him on the high-road, pass over to the other side. Have no dealing with him. Make him to understand that he cannot afford to brave the honest indignation of his fellow-countrymen." If this man were dying, and no other priest were in the way, Mr. Maine admitted that he should be bound to attend him; "but I confess to you I should be sorry from my heart to attend the death of such a being."[2] This has been very fairly called an awful commination, and it could be paralleled by a good many other speeches made about the same time. But excited Protestants have erred greatly in asserting that the Irish priesthood as a whole thought or spoke in such a fashion. Many of them refused altogether to take part publicly in political agitation; and it is an interesting fact that, according to a witness before the Maynooth Commission of 1853, "persons who have examined the matter statistically find that of the priests who have interfered rather prominently, and perhaps unwarrantably, in politics, the average majority were not educated at Maynooth."[3] The teaching of Maynooth was that priests should interfere in politics only in exceptional cases, and in a spirit of charity. Of course there were violent priests in 1852, as in O'Connell's time; but it is idle to say that the agitation was their work. The true lesson of their speeches is, not that the priests coerced the people, but that such violent language could not have been used except to persons already in accord with the

[1] "Popery Unmasked at the Recent Elections in Ireland," by a clergyman of the Established Church, p. 21.

[2] Ibid., p. 23. This speech, with others like it, is quoted also in Head's "Fortnight in Ireland."

[3] Lord, "Digest of the Maynooth Commission Report," p. 16.

speaker. This, however, is by the way. Whether for good or evil, the influence of the priests was a striking feature of many of the election contests of 1852.

Some fifty members were returned pledged to tenant-right and independent opposition. To all appearance, the league had been so far successful that they had formed a party strong enough in numbers to turn the scale either on the Whig or the Tory side. In order to determine the course of action, a conference was held in Dublin two months before the meeting of Parliament. The principles of Crawford's Bill, with some additional clauses, were unanimously declared to be the minimum that could be accepted; and it was also resolved that the tenant-right members "should hold themselves perfectly independent of, and in opposition to, all Governments which do not make it a part of their policy, and a Cabinet question, to give to the tenantry of Ireland a measure fully embodying the principles of Sharman Crawford's Bill." A very determined spirit animated the conference, and the friends of tenant-right looked forward with confidence to the meeting of Parliament.

The Derby ministry fully appreciated the political importance of the Irish members, and were prepared to go a good way to conciliate them. For the first time, what seemed a really serious effort was made to give effect to the recommendations of the Devon Commission. In November 1852 Mr. Napier, the Irish attorney-general, introduced four Bills which closely followed these recommendations, and which admitted the principle of nearly everything claimed by the league. It was proposed to encourage a thorough system of drainage and other substantial improvements, by enabling owners to borrow money on favourable terms, and by charging the expenditure for a certain number of years on the land; to give landlords with only a limited interest the right to bind their successors by leases and by agreements for special improvements; to consolidate, simplify, and amend the general law of landlord and tenant, and to place the relation between the two parties thenceforth on the basis of contract; and, in the absence of specific agreements, to give a legal right of com-

pensation for improvements made by the tenant on his holding. This new code (for the Bills were nothing less) was drawn, as every one acknowledged, with singular ability and thoroughness, and, especially in regard to the consolidation of the existing law, had a lasting value. But the real significance of the proposed legislation consisted in the recognition of the fact that English and Irish tenants stood in different positions, and in the admission of the principle, then so hotly contested, of "retrospective compensation." These two points being established, the whole question became one of degree and circumstances. That was perfectly understood, and it explains why Mr. Napier's useful and moderate code was doomed to failure. His four Bills, together with the Bill of the Tenant-Right League, were referred to a select committee. In the House of Lords, the Earl of Roden asked whether, by consenting to this course, the Government meant to give their sanction to "propositions of so communistic a nature," a question which Lord Derby evaded by summarising the Napier code without comment, and by declaring that he entirely agreed with his noble friend in thinking the Bill of the Tenant League, then in charge of Mr. Shee, to be destructive of the rights of property. Not a word was spoken by any member of the Government to indicate that they had taken up the matter in real earnest. As we learn from the Greville Memoirs, Mr. Disraeli was inclined to play with the Irish members a little longer, and was bargaining with them for the promise of their support to his Budget; but his chief repudiated the transaction. We must admit Lord Derby's position to have been a difficult one, seeing that, whichever course he took, he was bound to be defeated either in one House or the other. It was natural, therefore, that he should decide to fall in maintaining rather than in compromising the principles which at heart he believed to be offended by the Irish claims.

The fall of the ministry quickly followed Lord Derby's disavowal of the Crawford Bill of Mr. Shee. Every Irish member who had pledged himself to the policy of independent opposition was bound to stand on the other side,

and on Mr. Disraeli's Budget the Government were defeated by nineteen votes. The effectiveness of an independent policy was strikingly demonstrated. Had the Irish party remained united, and had they harassed ministry after ministry, there is no doubt that they would soon have forced Parliament to concede their demands. But the defeat of Lord Derby was their only achievement. From this time forward the league met with nothing but disappointment and disaster, and the cause lay as much in their own weakness as in the capacity of resistance of any English Government. The fidelity of certain members of the Irish Parliamentary party, particularly Mr. Keogh and Mr. Sadleir, had already been suspected, and, indeed, openly challenged. But so vehement had been their protestations that they succeeded in making the suspicions appear the outcome of a groundless jealousy. Had they not fought strenuously in Parliament against the Ecclesiastical Titles Bill? Had they not pledged themselves to tenant-right? Had they not vowed opposition to every ministry that denied the principles to which they were pledged? "I declare myself, in the presence of the Bishops of Ireland and of my colleagues in Parliament," said Mr. Keogh, in the spring of 1852, "that, let the minister of the day be whom he may—let him be the Earl of Derby, let him be Sir James Graham, or Lord John Russell—it was all the same to us, and, so help me God, no matter who the minister may be, no matter who the party in power may be, I will support neither that minister nor that party, unless he comes into power prepared to carry the measures which universal popular Ireland demands."[1] The year in which these high words were spoken was not out before the speaker had taken office in the coalition Government of Lord Aberdeen, and had become the political colleague of the author of the Durham letter. Mr. Keogh was made Solicitor-General for Ireland; Mr. John Sadleir became a lord of the treasury; and Mr. O'Flaherty, pledged in like manner, was made a commissioner of income-tax. It was reported that the Government had privately promised to deal favour-

[1] Quoted in Sullivan's "New Ireland," chap. xiv.

ably with the Irish claims, and that they had taken office on this understanding, but Lord John Russell expressly denied that there had been any promises or stipulations whatsoever. There was not a redeeming feature in what is one of the most dramatic and disgraceful desertions in political history. For audacious shamelessness it is without a parallel. The subsequent fortunes of these adventurers hardly concern us. Suffice it to say that Mr. Keogh became a judge, that he presided at the trials of Fenian prisoners, and that he was cut in Dublin society; that Mr. John Sadleir had to resign, or rather was dismissed, within a year, that he was found to be a forger and swindler, and that he committed suicide on Hampstead Heath; that his brother, another of the gang, was expelled from the House of Commons; and that Mr. O'Flaherty escaped conviction for forgery by flight to Denmark.

The desertions shattered the league. So well had these men played their parts, that not even the acceptance of office could convince some members of the council that their pledges had been broken; and it was urged, especially by the northern members, that they should not be condemned without giving the new ministry a fair trial. The division in the ranks gradually became more and more marked. Several influential members of the league, and honest believers in its principles, found out that it was impossible to keep aloof from English parties, and that undiscriminating opposition was a bad policy. To some, among whom were Mr. Crawford and Mr. Shee, it seemed more important that a tenant-right measure should be passed than that the measure should be a thorough one. All unity of action had gone, and with it all real power in Parliament. Scarcely less serious was the divided state of the Catholics of Ireland. While the league possessed a tower of strength in Dr. McHale, the Archbishop of Tuam, they had to contend against the steady opposition of Dr. Cullen, backed by the authority of the Holy See. Persuaded that the Church was endangered by the existence of secret societies, and that its safety required the priests to keep apart from disaffection, he regarded the

policy of the league with strong disapproval. When Sadleir and Keogh sought re-election, his influence was found at work in their favour. Father Keefe and Father O'Shea, who had distinguished themselves by founding the Callan Tenants' Protection Society, and who still remained active in agitation, were prohibited from interfering in politics. The exclusion of priests from politics was his steady aim, as it was the constant desire of English politicians, and he persevered long enough to crush the national party. An appeal was made to Rome. Mr. Lucas was deputed to lay the case before the Holy See, and he strove untiringly to counteract Dr. Cullen's influence. In a memorial which he prepared at the request of the pope, and the greater part of which appears in his recent biography, he justified the action of the priests. Nevertheless, the archbishop prevailed. Lucas returned in 1855, broken in health and spirit, and died a few months afterwards. Mr. Gavan Duffy, feeling that for the time the struggle was at end, resigned his seat and left the country. Within three years of the election of 1852, when the prospect seemed so bright with hope, the league had undergone an absolute collapse. An O'Connell might have averted the disaster. He might have overcome desertion, hesitation, and the coldness of the Church. But it was the misfortune of Ireland throughout this period to possess no leader capable of uniting the people or even their representatives.

III

REFUSAL OF REDRESS

AS year by year the league was thus ceasing to be a power with which English politicians had to reckon, its principles, having nothing but their own merits to recommend them, could not make way. The details of the story, which we have somewhat anticipated, may be hurried over. In 1853 the select committee to which the Bills had been referred rejected that of Mr. Shee, and reported in favour of those of Mr. Napier with some alterations. The Napier Bills passed through the House of Commons, which thus formally sanctioned the principle of retrospective compensation. In the House of Lords they were read a second time, and then, on account of the opposition which they excited, abandoned for the session. Lord Roden expressed the utmost indignation that the Tenants' Compensation Bill should have passed the House of Commons; and the Marquis of Clanricarde implored the Government, for the sake of their own character, not to force the Bills through Parliament so late in the session. "He ventured to assert" — the passage is interesting, as showing what an Irish landlord thought of his fellow-landlords—"that if the Bills passed, the tenantry of Ireland would be kept in many places under a notice to quit from quarter to quarter, and the hanging gale would be always hung *in terrorem* over their heads, for fear that they should take advantage of the clauses of this Bill." It is a sad commentary on the scrupulous care which was thus shown for the rights of property that the Crime and Outrage (Ireland) Bill of this year appears to have passed through the House of Lords without a word of discussion, although the Irish secretary had in the other House offered his congratulations on the peace, prosperity, and general condition of Ireland,

embracing every point except the existence of Ribbonism. The only other matter of interest in the Parliamentary history of the year was the extension of the income-tax to Ireland in the face of the strong opposition of most of the Irish members, who maintained that their country already contributed more than a fair proportion of the revenue.[1]

Amid the clouds of war gathering from the east of Europe, the prospect of ever seeing a tenant-right measure carried grew fainter still in 1854. A select committee of the House of Lords reported in favour of three of the Napier Bills, and against the Tenants Compensation Bill; and, the most offensive part of the code being out of the way, the House of Lords amended and accepted the other measures. The Government, however, decided that it was inexpedient to proceed further, and the whole question again dropped for the session. For the future, little hope was held out, Lord John Russell repeating what he had said again and again, that the most useful measure that could be provided would be a measure giving power and force to voluntary contracts and a simple remedy for the breach of these contracts.

But although the tenant-right cause made no advance in 1854, the debates of the year may very usefully be studied in order to appreciate the dead weight of prejudice against which the tenants' friends had to contend. Lord Monteagle, for instance, told his fellow-peers that they might as well take the foundation of legislation on the subject from Domesday Book as from the Devon Report; and gave his opinion that in the whole history of legislation there was scarcely any violation of principle like that presented by the Bills before the House. Referring to a clause which, with many restrictions, would have given tenants

[1] "It appears from Parliamentary papers that the gross revenue collected within Ireland was, in the year ended January 5, 1853, £4,414,413, 3s. 2d.; in the year ended March 31, 1857, £7,008,555, 9s. 8d.; and in the year ended March 31, 1862, £6,781,088, 16s. 8d.; and, taking the receipts of ordinary revenue of Great Britain and Ireland respectively, in the five years ended March 31, 1862, the proportion of Irish Revenue to British was one-ninth" (Thom's "Directory," 1888, p. 673). A comparison for the same five years of the annual values assessed under all the income and property tax schedules in Great Britain and Ireland respectively gives a proportion of about 13½ to 1.

compensation for their improvements in certain cases, the Marquis of Bath declared that it would destroy the only ground upon which a stand could be made against radicalism and socialism. Even on the part of those who assented to the Bills, we seldom find any clear recognition or admission of the justice of the tenants' case. It was prudent to exhibit a conciliatory disposition, especially as it could not be denied that there had been cases of hardship; and on that account a good many cautious men like Lord Campbell refrained from opposition, but washed their hands of all responsibility. In breadth of view and open-mindedness one speech stood out in remarkable relief, and deserves the more to be remembered that in later years the speaker came more often to be quoted for his criticisms than for his modified approval of tenant-right. A single passage may be quoted, so very justly does it describe the essential features of the question: "The argument, then, which I would venture to urge in support of the tenants' claim for legislative interference is simply this," said Lord Dufferin; "from circumstances over which the tenantry of Ireland had no control, and for which they were not responsible, it became necessary for them to execute improvements on their farms of a permanent character without being able previously to protect themselves by any adequate contract. To a certain extent, however, a degree of security almost tantamount to that guaranteed by a contract was afforded to them by an understanding or custom which, though differing in its *modus operandi* in different parts of Ireland, was nevertheless, in one shape or another, almost universally prevalent. Latterly, however, in consequence of the great revolution, and the breaking-up of the old state of things which has taken place, these semi-feudal and ill-defined understandings which once existed between a former race of landlords and their tenants are no longer found to give the necessary security, and the tenantry are therefore anxious to substitute for an equitable right under an uncertain custom a legal right under a definite law."[1] This is a calm

[1] Hansard, February 28, 1854. The speech is summarised in Barry O'Brien, "Fifty Years of Concessions to Ireland," vol. ii. pp. 283–287.

statement of the case, based, as most people will now admit, upon plain fact. But, for all the impression which he produced, Lord Dufferin might as well have been pleading for the whole programme of the league. The majority of his fellow-landlords were as far from accepting his view as he himself was in 1867 from accepting Mr. Butt's.

Disestablishment, or even a large measure of Church reform in Ireland, seemed even more remote than a land settlement. In 1853 Lord John Russell declared that the Government had no intention of introducing any measure relating to the Irish Church except in respect of ministers' money. This was a tax amounting to about £12,500 levied on the occupiers of Dublin, Cork, Waterford, Limerick, Kilkenny, Drogheda, Clonmel, and Kinsale, for the support of Protestantism in these towns, and on account both of its purpose and of the fact that it was levied on old valuations, and was therefore most unequal in its incidence, it had long been a cause of great irritation. With considerable difficulty, the Bill for its abolition was carried in 1854. In the same year Mr. Shee raised the larger question in a Bill for the suspension of 395 benefices, with few or no Church adherents, and for transferring part of the funds of the Church to the Roman Catholics and the Presbyterians. The Bill was rejected by a large majority. English feeling went wholly against any interference with a Church "the merits of which," said Mr. Newdegate boldly, "were daily acknowledged by the accession to it of hundreds of thousands of the people." After the rejection of Mr. Shee's Bill, the question was left untouched till the census of 1861 dispelled a great many delusions, and called attention to the indignity which the Establishment placed upon the Irish people. In the intervening years, indeed, Mr. Spooner and Mr. Newdegate, by an annual motion for an inquiry into the working of Maynooth College, and by speeches of heated Protestantism, did their best to keep the religious controversy alive. A royal commission had been appointed in 1853, and in 1855, after collecting a great mass of evidence, it reported against interference with the arrangement of 1845. Mr. Spooner

and his friends treated the inquiry as "a mockery, a delusion, and a snare," and demanded that in the interest of "this great, because Protestant, country," the grant should be discontinued.[1] It is creditable to English ministers that they gave no countenance to a demand urged in so narrow a spirit.

The years between 1854 and 1861 may be passed over quickly; as regards Ireland their Parliamentary history is barren and dreary. In 1855, when Lucas died, and Duffy threw up his seat in despair, some members of Lord Palmerston's new Government went so far as to express a theoretical approval of the tenants' claims. Sir R. Bethell, the solicitor-general, defended the principle of retrospective compensation as one well established in Roman law, and even in the law of England; and Lord Palmerston himself, who had not yet found the maxim that tenant-right is landlord wrong, agreed to accept the principle, provided a limit of twenty years should be adopted. But again nothing was done, and Mr. Napier gave the true reason when he said that "it is notorious that the House of Lords will pass no such measure, and that for a Government to propose it to them, or pretend to support it, is an imposture and a sham." In 1856 the Tenant League, which still met from time to time, resolved, after their Bill had failed for the year, to clear it of its most objectionable clauses—those legalising the Ulster custom, the valuation clauses, the O'Connell clause providing that improvements should be presumed to be the tenant's till the contrary was proved, and others which were likely to be resisted. It is needless to say that they gained nothing by this half-hearted move. The mutilated Bill met with even less respect than its predecessors had done, and the question of tenant-right almost ceased to excite any political interest. There could hardly be stronger proof of this than that in the letters written to his Bradford constituents in 1857 by General Perronet Thompson, one of the few men of that time who was not blinded by a belief in the general righteousness of English policy, there is only a single short reference to the question of tenant-right in

[1] Lord, "Digest of the Maynooth Commission Report," pp. 239, 244.

Ireland. He sympathises with the tenant, and sees the gravity of the case. "The question," he says, "will require a statesman, when there is one to spare." But he is plainly speaking on a subject to which Englishmen were paying little heed.[1]

The future of the question, however, depended not so much on the will of the landlords at Westminster as on the conduct of the landlords in Ireland, the less worthy of whom were doing a more effectual service to the cause of tenant-right than the league itself. Individual cases of injustice, indeed, or even a general knowledge that the absence of security prevented Irish tenants from improving their position, would not have sufficed to produce any change in the Irish policy of English Governments. The answer was always ready that English tenants prospered under land laws almost the same as those of Ireland, and that consequently the people, and not the laws, were in fault. It was an insufficient and inaccurate answer, ignoring the manner in which the law had been made and administered in the interest of the Irish landlord, the different circumstances of the tenantry in the two countries, and the different part which landlords took in cultivation; but at the time of which we are speaking it satisfied English politicians. What did impel them to attend to Irish grievances was not the hardships of the tenants, but considerations of social order. Year by year, amid congratulations on the general tranquillity of the country—it is now "one of the most tranquil countries in Europe," said the Marquis of Clanricarde in 1860—the presence of a shadow was always felt. The existence of Ribbonism furnished the only ground on which ministers justified the renewal of the Peace Preservation Act. Now, whatever may have been its nature formerly, Ribbonism had become at this time almost purely agrarian. "There is nothing political or religious," says Mr. Senior, in the journal of his last visit to Ireland, ". . . in the Ribbon code. It is simply agrarian. It recognises the obligation on the part of the tenant to pay rent, but no other obligation. It

[1] Letters of a Representative to his Constituents, letter xlv.

resents all interference by the landlord in the use of the land."[1] He quotes the opinion of Mr. Stuart Trench, who for the best part of his life had been a land agent, as to the contrast between English and Irish crime. "The Irishman," said Mr. Trench, "murders patriotically. He murders to assert and enforce a principle—that the land which the peasant has reclaimed from the bog, the cabin which he has built, and the trees which he has planted, are his own, subject to the landlord's right by law to exact a rent for the result of another man's labours. In general he pays the rent, generally he exerts himself to pay it, even when the payment is difficult to him; but he resolves not to be dispossessed. He joins a Ribbon lodge, and opposes to the combination of the rich the combination of the poor."[2] Mr. Trench loved exaggerated effects, as every one knows who has read his "Realities of Irish Life," and when he speaks of a patriotic element in Ribbon crimes his words must not be pressed. Nevertheless, it is true that these outrages, however brutal and cowardly, were not quite of the lowest form of crime. The victim received at least the form of a judicial trial—he was sentenced, and members of the lodge were deputed to carry the sentence into effect. In nearly every case the offence related to land; a landlord had evicted a tenant, or a farmer had taken land from which a tenant had been evicted. With all their baseness there was thus what may be called a public side to the agrarian crimes of these otherwise tranquil years, and the peasants, in sheltering the criminals, recognised this fact. Though the Crime and Outrage Act of 1848 had been renewed from year to year, and still existed, substantially unmodified, under the title of the Peace Preservation Act, the law had hitherto utterly failed to crush out this widespread conspiracy, simply because in Ribbon districts the popular sympathy was with the criminal, and not with the law. In 1859, over the whole of Ireland, fifty-three persons

[1] "Journals, etc., relating to Ireland," vol. ii. p. 214.

[2] Quoted in Barry O'Brien, "Fifty Years of Concessions to Ireland," vol. ii. p. 265. On the preponderance in Ireland compared with other countries of "exemplary or preventive" crimes over those committed from merely personal motives, see Cornewall Lewis, "Irish Disturbances," chap. iii.

were acquitted out of every hundred committed for trial, while in England and Scotland the percentage was only twenty-five. Of every one of the agrarian murders it was believed and asserted, and it was probably true, that the people of the district knew the murderer perfectly well. Trial by jury is a weak instrument in such cases, and strong proposals were made for amending the system. In a series of letters on the state of Ireland published in 1856 we find this bold suggestion: "In all cases of Ribbon trials, where murder has taken place, either Roman Catholics should be by law excluded, on the ground of their sympathy going to screen their co-religionists on trial for murder; or, in case they wish to be on the trial of Ribbonmen, for the murder of Protestants, let the verdict of the majority be taken, instead of the unanimous verdict which is now required by the law."[1] By such foolish plans for raising the percentage of convictions was the real meaning of the immunity of Ribbon murderers obscured. In a country where the calendar of general crime was exceptionally light, the popular condemnation of crime meant that, barbarous as the Ribbon code may have been, it dealt with a real injustice in the land system of Ireland.

The peace of Ireland did not suffer from Ribbonism alone. The town of Belfast was the frequent scene of scandalous riots caused by the savage intolerance of the Orange Society. So dangerous to the peace of the country did this organisation appear, that in 1857 Lord Chancellor Brady, in a letter to Lord Londonderry, gave notice that for the future he should require from every person holding the commission of the peace an assurance that he was not, and would not while he held the commission become, a member of the society. His bold declaration raised a storm of indignation; but it seemed for a time as if the Government would stand firm and support him. Early in 1858 a deputation of Irish Conservatives, introduced by Mr. (afterwards Lord) Cairns, waited on Lord Palmerston to present a memorial of protest against the chancellor's

[1] "The Highlands of Cavan," by a Looker-on, p. 271. The adoption of the Scotch jury system had frequently been pressed upon the Government.

declaration, and were met with words of chilling discouragement. Lord Palmerston was at a loss to understand the use of the association, and gave his opinion that nothing could be more desirable for the real interests of Ireland than its complete abandonment. There the matter ended. The Brady letter led to nothing, in spite of the fact that the ministry entirely agreed with it. Many people in Ireland asked whether their action would have been the same if Limerick instead of Belfast had been the scene of religious outrages, and a Catholic priest had played the part of the Rev. Dr. Hanna.[1] The truth was that for political reasons no English Government had the courage to declare open war on Orangeism. But the agrarian discontent of which Ribbonism was the outcome could not safely be neglected. Feeling this, the ministry of Lord Palmerston, which took office in the summer of 1859, determined that something must be done to place the law of landlord and tenant on a better footing. In the following year they introduced two very imposing measures, which, in spite of a good deal of opposition, they succeeded in carrying through Parliament. The first of these, the Landed Property (Ireland) Improvement Act, dealt with the existing restrictions on the powers of limited owners, and with the improvements effected by certain classes of tenants upon their holdings. Subject to judicial sanction, limited owners were enabled to charge the inheritance with the cost of specified improvements, and to bind their successors by leases for specified periods. Simple agricultural leases for a term not exceeding twenty-one years could be given by the limited owner without judicial intervention, but every improvement lease required the sanction of the chairman of the county in which the lands were situated. To tenants who should carry out certain specified improvements on their holdings, the right to compensation was granted, either in the form of continued possession or of an annuity charged on the land; provided

[1] Before the commission of inquiry into the Belfast riots of 1857, Dr. Hanna was questioned as to open-air preaching: "And would you consider it your duty to preach when you believe riot would ensue?—I would, sir. Our most valuable rights have been obtained by conflict; and if we cannot maintain them without that, we must submit to the necessity" (Q. 7904).

that before improving there had been an agreement with the landlord, or that the tenant had given notice of his intention, and the landlord had not within three months notified his disapproval. His disapproval excluded all right to compensation. In both cases the sanction of the chairman of the county was required. An amendment had been strongly pressed by which an appeal would have been given from the landlord to the chairman, as had been provided for in Lord Stanley's Act of 1845, in Lord Lincoln's of 1846, in Sir W. Somerville's of 1850, and in Mr. Napier's of 1852. Mr. Monsell (afterwards Lord Emly), Mr. Butt, Lord Fermoy, and others, urged that without such a restraint on the exercise of the landlord's power the Bill would be good for nothing. Mr. Conolly, an Irish landlord himself, said that "he would compel the landlord in certain cases to make improvements. He knew there were landlords who would prefer to sit down with their hands in their pockets, and very little else in their pockets besides their hands, rather than comply with the just requirements of the tenants."[1] But the amendment was negatived by 192 to 48. The principle of retrospective compensation, of course, was not admitted.

The second Act, the Landlord and Tenant Law Amendment Act (Ireland), consolidated and amended the law. Like the corresponding Napier Bill, on which it was modelled, it declared that the relation should be deemed to be founded on the express or implied contract of the parties, and not upon tenure or service. It cleared away a great number of inconvenient rules concerning the assignment of tenancies. It confined the remedy of distress to the recovery of the rent of the last preceding year. In various ways it also simplified and rendered less costly the process of ejectment.[2]

Few Acts have ever more completely failed. Scarcely a single landlord applied for judicial sanction to projected

[1] Hansard, June 29, 1860.

[2] One of the most important changes was in requiring the writ in ejectments for non-payment of rent to be served only on the persons in actual possession of the lands as tenants or sub-tenants (sect. 55). In De Moleyns's "Landowner's and Agent's Practical Guide," the Act will be found set out with the changes in the law noted in the margin.

improvements; scarcely a single tenant took advantage of the compensation clauses; and the number of leases continued steadily to decrease. Landlords and tenants alike were deterred by the necessity for having judicial sanction at almost every step. The second Act made the tenant's position worse than before. "Every improvement in the real property law," says Professor Richey, "has been injurious to the tenants; to a man in possession, a defendant in ejection, no system of law is so advantageous as one hopelessly entangled and incomprehensible."[1] The legislation of 1860 carried a stage further the process of improving away the tenant's safeguards, which had steadily been going on since 1816. Reporting in 1866 on the causes of failure, Dr. Hancock said that the simplification of procedure in regard to recovery of possession diminished the tenant's security for compensation, as formerly compensation was often given in order to avoid legal proceedings. It has been said that the Acts were passed in the tenant's, rather than in the landlord's, interest; but, whether this was so or not, it is remarkable that almost the only important alteration in the law which really worked was that which practically increased the landlord's power.

The evils which were stirring up the land war in Ireland had not been so much as touched. The first Act came into operation on November 2, 1860; the second on January 1, 1861. On November 20, 1860, began the notorious evictions on the Partry estate of Lord Plunket, the Bishop of Tuam, which the *Times* described as "a hideous scandal," reminding one of "a closed drain or some other nuisance." Most people believed, though Lord Plunket denied it, that the tenants were evicted because they refused to send their children to the Irish Church Society's School; and nothing in the Acts of 1860 would have prevented such an exercise of a landlord's power. Equally legal and equally harsh were the evictions carried out by Mr. Adair at Derryveagh, in Donegal, commonly referred to as the Glenveagh evictions, which divided the general indignation with those of Lord Plunket. "Twenty-

[1] "The Irish Land Laws," p. 44.

eight houses were unroofed or levelled; 46 houses evicted; 47 families, comprising 37 husbands, 35 wives, 159 children, 13 other inmates, making a total of 244 persons." That was the official report as quoted in the House of Commons in 1861. What was the reason in this case? Mr. Adair's manager was murdered one November night in 1860, and the murderer could not be found. On the supposition that he lived in the district, against which there was at least a strong presumption, the district was cleared.[1] Mr. Adair acted on a principle sanctioned about a year before by Lord Derby himself. A murder had been committed on his estates at Doon, county Limerick. The murderer could not be found. Lord Derby served notices to quit on eight or nine tenants near the place of the crime, and defended his action on the ground that "it is the duty of a landlord, if he has reason to believe that persons on his property are conniving at the suppression of evidence or the concealment of facts with respect to a brutal murder—not, indeed, to punish the innocent for the guilty; but to say to those persons, 'You and I—you standing under this grave suspicion, and I being responsible for the interests and happiness of the district—you and I shall not hereafter stand in the relation of landlord and tenant.'"[2] Public remonstrance prevented Lord Derby from carrying out his threat. But so far as the law was concerned, he might have done as Mr. Adair did.

We have not to search far in order to discover why the legislation of 1860 failed. It was never intended to deal with such cases as we have referred to. It was, in short, an elaborate attempt to accomplish an impossibility, namely, to meet the grievances of tenants without sensibly diminishing the rights of landlords. It was even a backward step. It conceded less than had been admitted in the Derby, the Newcastle, and the Napier Bills. It was based on a more rigid doctrine of the right of property in land, and showed less consideration for the facts of the Irish

[1] The previous history of Mr. Adair's relations with his tenants, and the details of the evictions, will be found related in Mr. Sullivan's "New Ireland."

[2] Speech at Liverpool, *Times*, October 31, 1859.

tenants' position. The one clear good that it effected was to show the hopelessness of settling the question on the principle that a landlord can do as he pleases with his land.

This was a lesson which had to be taught by other methods than Parliamentary argument. From 1860 to 1865 things were allowed to drift, Parliament occupying itself more with the affairs of Italy and the misgovernment of Poland than with the condition of Irish peasants. Yet in Ireland it was an anxious and critical time. A series of adverse seasons, beginning in 1859, gave a sudden check to the steady though slow progress which had been made since the famine, and straightway the old misery and discontent returned. Agrarian crime broke out with renewed violence, employment grew scarce, and the number of emigrants rapidly increased. Excessive rain brought back the potato blight, and the people had to endure great hardships for the want of fuel. It was said that half the inhabitants in the barony of Erris, county Mayo, had not enough to eat. Cases were quoted where whole families stopped in bed all day to allay the cravings of hunger. Coroners' juries returned verdicts of death from want. Famine-fever, and other diseases caused by unwholesome food, again appeared, as in 1847 and 1848. Nor was it alone the poorest class who were affected by the prevailing distress. Many small farmers, who in the good seasons had paid their rents with regularity, were now obliged to borrow in order to procure the simplest necessaries, and thought themselves fortunate if, with the assistance of relatives in America, they could find means of quitting the country. Even if we allow for much exaggeration,[1] it is evident that great distress existed, and that in parts of the west the people were living on the verge of famine.

In 1862 the conditions of poor relief were made somewhat less stringent by an Act passed in accordance with the recommendations of a committee appointed in the previous year to inquire into the Irish poor law system. The

[1] See reports of poor law inspectors on the condition of the poor in Roscommon, Sligo, Galway, and Mayo (1862); and correspondence relating to the Skibbereen and Castletown Unions (1862).

most important change consisted in a modification of the "quarter-acre" clause. The Bill originally provided for the simple repeal of the clause, but the House of Lords decided that it should still be maintained as regards out-door relief.[1] Believing that the poor law could now cope with the distress, the Government washed their hands of responsibility. The existence of any real grievances which Parliament could redress was strenuously denied. The Acts of 1860, indeed, had admittedly failed; but to go further in the way of concession to the tenants would be simply to legalise robbery. Though Lord Palmerston's ministry were not greatly occupied with the matter, their evident opinion was that politically the land question had been settled. As for the Church, which had so long been left undisturbed, an attack was at length made in 1863 by Mr. Dillwyn and Mr. Bernal Osborne; but it led to nothing—not even to an inquiry. The then Irish Secretary pledged the Government to an uncompromising defence of the establishment. "I shall be found," he said, "ay, and acting under the advice and guidance of the noble lord at the head of the Government,—I shall be found contending on behalf of those principles which for two centuries have ever been—and God grant they may long continue to be!—the centre of loyalty to the throne, and the bulwark of civil and religious liberty."[2]

[1] On the defects in the law which the Act of 1862 failed to remedy, see "A Comparison between the English and Irish Poor Laws with respect to the Conditions of Relief," by J. K. Ingram, LL.D. (*Journal of Statistical Society of Ireland*, May 1864).

[2] Hansard, June 29, 1863.

IV

FENIANISM

In respect of both the great Irish grievances, the Church and the land, it needed a violent revolt to change the current of English opinion. Since 1858 that revolt had been in preparation.

For ten yearsa fter the Young Ireland trials the cause of Irish nationality seemed to have been abandoned. So secure did the Government feel, that in 1854 a pardon was granted to Mr. John Martin, Mr. Smith O'Brien, and Mr. O'Doherty on condition of not returning to Ireland, and in 1856 the pardon was made unconditional. But disaffection had not died out, as was plainly shown by the strong anti-English feeling excited during the Crimean War. Especially in the small towns, whose prosperity was declining, a state of unrest prevailed. They were filled with men and women from the country districts, who had been unable to emigrate, and whose own misfortunes made them ready listeners to denunciations of English rule. Meanwhile Stephens and O'Mahony were plotting in Paris, and keeping up communication with friends in Ireland. The first step was taken in 1858. Stephens went to Ireland, and O'Mahony to America. In the little town of Skibbereen, a club, called the Phœnix National and Literary Society, had recently been started by a number of young men, of whom the most prominent was Jeremiah Donovan, afterwards known as O'Donovan Rossa. Excited by Stephens, who visited the place in May 1858, and who won them over by promises of American support, and by pointing out the favourable opportunity which the Crimean War and the Indian Mutiny had given to Ireland, the members of the Phœnix Society set about

preparations for a rising. Fresh recruits were found in Bantry and Kenmare; and during the summer and autumn reports went forth of their secret meetings, their oaths, and their drilling.

The Government had accurate information of these doings, but held their hand for a time. In December they suddenly pounced upon the society, and within a few days some twenty members were arrested. A special commission was issued for the trial of the prisoners. By the aid of an informer, and after two trials, a national school teacher, Daniel O'Sullivan, was convicted by a jury from which every Roman Catholic had been studiously excluded, and was sentenced to ten years' penal servitude. The other trials were postponed, some of the prisoners being let out on bail. After eight months' imprisonment, the rest, including Donovan, agreed to plead guilty, and were released on their own recognisances of £200 to come up for judgment on a fortnight's notice. By these vigorous measures the Government crushed the "Phœnix conspiracy," but the movement of which it was only a part went on.

In America O'Mahony's mission had graver consequences. There a secret association was established in 1858, whose aim sufficiently appears from the oath of membership: "In the presence of Almighty God, I solemnly swear allegiance to the Irish Republic, now virtually established, and to take up arms when called on to defend its independence and integrity. I also swear to yield implicit obedience to the commands of my superior officers." This was the Fenian, or the Irish Revolutionary, Brotherhood. Nowhere could the anti-English feeling be found more bitter than amongst the Irish in America, who, with a firm persuasion that they had been driven from their own country by English tyranny, eagerly enrolled themselves in the new association.[1] But for a good many years Fenianism, as a distinct form of the national movement, had comparatively little influence in Ireland, and it

[1] "So far as I have been able to learn, my belief is, that among the Fenians in almost every State of the Union, there are many thousands of the very cream of the Irish population" (Maguire, "Irish in America," p. 592).

never was embraced by more than a small section of the people, though the enthusiasm excited by the first great Fenian demonstration, the McManus funeral in 1861, showed that in the towns there was a field ripe for the revolutionist. The Roman Catholic Church, ever hostile to secret societies, strove hard to prevent the spread of Fenianism. Men like John Martin, Smith O'Brien, and A. M. Sullivan, who believed in open agitation, strenuously opposed it; and it long seemed as if it could serve no other end than to create dissension, jealousy, and weakness among Irish Nationalists. Yet the Nationalist cause was yearly gaining strength. Even English politicians and English newspapers gave it an indirect assistance by their strong utterances on the right of the people of the Papal states of Italy, as of every people, or at any rate every nation, to choose the form of their own government.[1] Let this principle be applied to Ireland as well as to other countries: so it was urged in a petition presented to the Queen in 1860, which is said to have borne more than half a million signatures. In like manner were the Nationalists quick to apply to their own case the almost universal condemnation excited in England by Russian tyranny in Poland. The civil war in America followed, and again did many Englishmen dwell with fervour on the right of revolution and secession. Fresh vigour was given to the Fenian movement by the convention which met at Chicago, under the presidency of O'Mahony, in November 1863, in order to prepare for a more determined and systematic agitation in Ireland. In the same month Stephens started in Dublin a journal called the *Irish People*, under the direction of three men of remarkable ability and character—O'Leary, Luby, and Kickham. They persistently and contemptuously opposed the constitutional methods of the *Nation* as methods which had hitherto led to discreditable failure. To quote from one characteristic article: "Ireland to-day has one chance and

[1] "The destiny of a nation ought to be determined, not by the opinions of other nations, but by the opinion of the nation itself. To decide whether they are well governed or not . . . is for those who live under that government" (*Times*, November 18, 1859).

strength which no subject nation save herself ever possessed. She has not only a new nation, as it were, of her sons outside her own soil, but countless thousands of those sons have been trained to arms in the fierce combats of the present American war. These Irish soldiers (both officers and privates), having already revived the military prestige of Ireland in Transatlantic fights, are impatient to signalise their valour still more in nobler battles at home."[1]

The Government knew that the American agitation in Ireland had increased after the convention of Chicago; but for two years no sign of interference was made, and the *Irish People* was allowed to go on preaching the policy of force. It found its strongest supporters among the Irish of the English and Scotch towns. The inaction of the Government showed that in Ireland there was no immediate danger of its revolutionary advice being taken. The close of the American war in 1865 at once changed the aspect of affairs. Members of the brotherhood, who had served in the war, now came over to Ireland in considerable numbers, and busied themselves in making recruits. At the beginning of September the Government obtained information that a rising was being planned. An informer handed over a letter, written by Stephens, under an assumed name, in which it was said, "This year—and let there be no mistake about it—must be the year of action. I speak with a knowledge and authority to which no other man could pretend; and I repeat the flag of Ireland—of the Irish Republic—must this year be raised." The Government decided to take action. Suddenly, on September 15, a descent was made on the office of the *Irish People*. O'Leary, Luby, O'Donovan Rossa, and some subordinates were arrested, and many incriminating documents seized. Two months later Stephens was secured, but in less than a fortnight he escaped from prison, and,

[1] Quoted in "Memoir of A. M. Sullivan," p. 73. See an interesting article entitled "'82 and '29" (quoted by Barry O'Brien, "Fifty Years of Concessions to Ireland," vol. ii. p. 212), the drift of which is that English concessions have been more harmful to Ireland than open hostility.

after remaining concealed for several months in Dublin, succeeded in reaching France. The rest were tried and sentenced to terms of penal servitude. The sentences were severe, not to say harsh; and their severity was rendered the more odious by the fact that one of the two presiding judges was the renegade Keogh, the friend of Sadleir, the man who had himself been charged with having, in the election of 1852, openly recommended assassination. This first decided step taken by the Government, so far from crushing the conspiracy, had the effect of awakening popular sympathy, and of assisting the Fenian recruiting agents. Every day the situation became more grave. In England there prevailed a feeling of anxiety, all the more intense that no certainty existed as to how far the disaffection had spread. The new Parliament were accordingly met with the demand for a suspension of the Habeas Corpus Act, and a letter was read from Lord Wodehouse declaring the urgent necessity of giving the Executive fresh powers. Great numbers of Fenian agents, he said, were engaged in swearing in members; fully five hundred were known to the police; they had three manufactories of arms in Dublin; and they were working hard to seduce the troops. Parliament responded to the appeal with the alacrity usual in such cases. The Bill was brought in on Saturday, February 17; the standing orders were suspended; it was carried through all its stages in both Houses in the evening; and it received the royal assent early on the Sunday morning. This was the first Act passed by the new Parliament of 1865. During the six months' suspension of the Habeas Corpus Act 756 persons were arrested, many of whom were released after a short term of imprisonment, while a great number of others escaped arrest by fleeing the country. In August a further suspension was readily agreed to. A Fenian raid in Canada in the month of May; the continued importation of arms into Ireland; and a proclamation from Stephens, who had now gone to America, that the general rising would take place before the year was out, kept both England and Ireland in a state of alarm throughout the autumn

and winter. In America, on the other hand, Stephens's continued inaction had lost him the confidence of his colleagues. He was formally deposed, and men of less caution were sent over on the wild errand of preparing simultaneous risings in different parts of Ireland.

After much blundering in the arrangements, and after an attempt to seize Chester Castle, which but for an informer might have been successful, the long-expected rising at length took place in March 1867, and proved an even more pitiable failure than could have been anticipated. The informer had again been beforehand, so that the Government had full knowledge of the plan of operations. A few police barracks were captured; there were some encounters with the police; and in two or three days the affair was at an end. Most of the leaders were arrested, put on trial, convicted, and sentenced, some to death, and some to penal servitude for life or for long terms of years. The sentence of death was afterwards commuted in each case to penal servitude.

Few men in England were at that time able to view these events with ordinary calmness or fairness of mind. The most exaggerated and false accounts of the Fenian plans—for instance, that a general massacre had been intended—were repeated without a shadow of evidence; the severity of the sentences not only was regarded as necessary in the interest of society, but was hailed with indecent exultation; with general approval the convicted men were treated as ordinary criminals. Yet the English mind, which had often been stirred by tales of foreign tyranny, was familiar enough with the distinction between political offences and ordinary crimes. On May 3, 1867, a moderate petition was presented to the House of Commons, praying, among other things, that the sentences might be revised and the Fenians treated as political prisoners. Its strongest words were these: "that in the consequent apparent hopelessness of a remedy for the evils which press on their country, honourable Irishmen may, however erroneously, feel justified in resorting to force; that, in a word, there is legitimate ground for the chronic dis-

content of which Fenianism is the expression, and therefore palliation for the errors of Fenianism." The statement, which now would hardly be contested, was declared to be a justification of treason. A protest was raised against the reception of so disloyal a petition, and only two members had the courage frankly to state that they agreed with its spirit—Mr. Bright, who presented it, and Mr. John Stuart Mill.[1]

The Habeas Corpus Act had already been suspended in February; it was again suspended for a further period in May. The summer passed in comparative quiet, and the readiness of juries to convict, and of judges to deal out the full measure of punishment, did much to set at rest the minds of Englishmen. Their passions and fears, however, were renewed by the Manchester rescue on September 18, and by an attempt on December 13 to release two Fenian prisoners by blowing down the outer wall of Clerkenwell Prison. The impression produced in Ireland by the Manchester incident has given it historical importance. While two Fenian leaders who had been captured in Manchester, Colonel Kelly and Captain Deasy, were being conveyed to the county gaol at Salford, the police van was stopped by a band of men, the prisoners were rescued, and during the struggle Sergeant Brett, the policeman in charge of the van, was shot dead.[2] Some sixty persons were arrested. Twenty-six were eventually put on trial in batches, and a verdict on the charge of murder was obtained against the first five. One of them, Maguire, a soldier in the Royal Marines, was afterwards pardoned and restored to the service; it was obvious he had been convicted, as he himself said, "on a mistaken identity." Another, Condon (or Shore), was reprieved; there was no evidence that he had been armed during the affray, and he was an American citizen. It was strongly contended that

[1] See Hansard, May 3, May 6, and June 14, 1867.

[2] There is no ground for saying that Brett was deliberately shot. Shaw, a policeman who saw the shot fired, admitted in cross-examination that "it was his impression that Allen fired to knock the lock off" (*Annual Register*, 1867, p. 197).

all five had been wrongly convicted, and that in point of law the crime was not murder, but manslaughter;[1] but the judges who tried the case would not admit any doubt, and the Home Secretary declined to interfere. The sentence of death was accordingly carried out against three of the five, Allen, Larkin, and O'Brien (or Gould, the name under which he was tried). The execution caused a storm of indignation to sweep over Ireland. In Dublin a great funeral procession took place, one of the organisers being Mr. A. M. Sullivan, who had hitherto exerted all his influence against the Fenian movement. It added only fuel to the flame when Mr. Sullivan and others who had joined in the procession were put on trial for taking part in a seditious assembly. The jury disagreed; but Mr. Sullivan had already been convicted of publishing a seditious libel in his paper, the *Weekly News*, relating to the Manchester executions, and for this he was sentenced to six months' imprisonment. It is scarcely possible to exaggerate the profound impression which these events produced in Ireland. They have never been forgotten. The prayer with which Condon concluded his speech from the dock is the theme of the Irish national hymn, 'God save Ireland'; and their countrymen still speak of Allen, Larkin, and O'Brien as the Manchester martyrs.

By the beginning of 1868 the violent phase of Fenianism was nearly at an end. But the spirit of Fenianism remained, profoundly affecting Irishmen of all classes, and steadily increasing in strength. It is true that the actually enrolled Fenians were probably never very numerous, that they included few occupiers of land,[2] and that, as the English press constantly pointed out, no Irishman of the position of

[1] The question arose from a doubt whether Kelly and Deasy were in legal custody when the rescue took place; if they were not, it was argued that the crime of killing Brett in the act of rescuing them did not amount to murder. See the statement, signed by the counsel for the prisoners, which was submitted to Mr. Justice Blackburn and Mr. Justice Mellor, and the answer of the former, *Times*, November 21, 1867.

[2] Of 752 persons arrested under special powers up to December 1866, only 35 were farmers; of 265 arrested between January 1, 1867, and January 31, 1868, only 11 were farmers (Hansard, February 21, 1867, and February 14, 1868).

Lord Edward Fitzgerald or O'Connell or Smith O'Brien joined in the movement. Nevertheless the germs of Fenianism were everywhere. "If the truth must be spoken," it was said in 1870, by one not given to exaggeration, "there are few Irishmen to be found at this moment (save those in place or seeking it) who have not hidden within their bosoms a *soupçon* of that which, in its concentrated form, constitutes the chief characteristic of Fenianism."[1] To such a pass had English Governments brought the country by their indifference to Irish grievances and their contempt of Irish opinion.

[1] "Irish Nationality in 1870," by a Protestant Celt, 2nd edit. p. 39.

V

DISESTABLISHMENT

THE Fenian movement, and the widespread sympathy which it evoked, administered a rude shock to English optimism. To fair-minded men, who had clung as long as they could to the idea that the famine had swept away the causes of the Irish trouble, it became clear that disaffection so deep and general could not spring from mere wantonness of spirit, but must be due to the pressure of real grievances. There was still talk, it is true, of further and more zealous repression. In letters to the *Times*, the Government were urged to place Ireland under martial law. But teaching of a wiser and more temperate nature happily prevailed. "The Fenian movement," wrote Mr. Goldwin Smith on the day of the Manchester executions, "is not religious, nor radically economical (though, no doubt, it has in it a socialistic element), but national; and the remedy for it must be one which cures national discontent. This is the great truth which the English people have to lay to heart."[1] "If there is anything sadder than the calamity itself," wrote Mr. Mill in 1868, referring to Fenianism, "it is the unmistakable sincerity and good faith with which numbers of Englishmen confess themselves incapable of comprehending it. They know not that the disaffection, which neither has nor needs any other motive than aversion to the rulers, is the climax to a long growth of disaffection, arising from causes that might have been removed."[2] "Surely nobody can think it wonderful," said Mr. John Morley in the same year, "that the Irish farmer and the Irish peasant associate the name of England . . . with all that is miserable and oppressive.

[1] "The Irish Question" (1868), p. 5.
[2] "England and Ireland," p. 6.

And nobody can believe that England is fully alive to her duty as the imperial nation. The landlords harp continually on their right to do as they will with their own; and the alien clergy, in just the same strain, together with their confederates in this country, declare that their rights are in danger. I have never heard of either the one or the other saying a word of their duties. The idea of political duty is not known to them. And it is this fact which impresses an Irishman."[1] Even Earl Russell, the last man to be carried away by any unpractical enthusiasm, was driven to acknowledge that the Irish tenant and the Irish Roman Catholic had grievances that should be redressed. "If, then," he said, "we can find a man with the brilliant oratory of Canning and the sterling honesty of Althorp, it is to such a man that the destiny of this country and the prospects of Ireland ought to be consigned. The University of Oxford, overflowing with bigotry, might indeed reject such a man, but I feel persuaded the great county of Lancaster would never fail him, nor would the country at large cease to celebrate his pure and immortal fame."[2] The county of Lancaster did fail the man thus summoned to a great work; but the country at large went heartily with him in 1868 and 1869 in carrying out an even bolder policy than Earl Russell advised.

When Lord Palmerston died in October 1865, every one felt that, his restraining influence being gone, times of great political change were at hand. For the next three years the question of Parliamentary reform engrossed attention. Failing to carry their Bill, Earl Russell and Mr. Gladstone were succeeded in July 1866 by Lord Derby and Mr. Disraeli, whose Reform Act of 1867 established the household franchise in boroughs. In the following year Scotland received a similar measure, while Ireland was put off with a reduction of the £8 rating franchise to £4. The field was now clear, and Ireland claimed and compelled the undivided attention of Parliament.

[1] "Ireland's Rights and England's Duties," lecture at Blackburn in 1868.

[2] "A Letter to the Right Honourable Chichester Fortescue on the State of Ireland," p. 83.

Of Irish grievances, the most urgent, at any rate in respect of the ripeness of opinion, was the existence of the Protestant Episcopal Church as an established and endowed body. The case against the Irish Church can be stated very briefly. It was the Church of a small fraction of the people; it had failed to spread Protestantism in Ireland; and its presence was a permanent cause of irritation, jealousy, and dissension. The census of 1861 showed the population of Ireland to be 5,788,415. The members of the Established Church numbered 693,357, or less than one-eighth of the total population; the Roman Catholics, 4,505,265, or about ten out of every thirteen of the people of Ireland. Observing how the members of the Established Church were localised, we find the disproportion still more remarkable. For while in Ulster the proportion of Anglicans to population was twenty per cent., in Leinster it was eleven, in Munster five, and in Connaught four.[1] The figures for the different dioceses were as follows:—

Province of Armagh.		Province of Dublin.	
1. Armagh and Clogher	23.2	7. Dublin	18.4
2. Derry	14.3	8. Ossory	8.5
3. Down and Connor	21.3	9. Cashel	3.7
4. Kilmore	9.7	10. Limerick	3.8
5. Meath	6.4	11. Cork	8.2
6. Tuam	3.37	12. Killaloe	4.7[2]

Of the 693,357 Anglicans, 417,011 were found in the three dioceses of Armagh, Down, and Dublin. There were 114 benefices, with a total revenue of £18,735, in none of which did the Church membership exceed 25.[3] Five benefices were remarkable for having each only one member.[4] In 199 out of 2428 parishes in Ireland there was not a single Anglican.[5] The total gross revenue of the Church was estimated at about £700,000 and the commissioners of 1868

[1] Barry O'Brien, "Fifty Years of Concessions to Ireland," vol. ii. pp. 191, 192.

[2] Ibid., vol.ii. pp. 192–200; Dr. Lee, "Facts respecting the Present State of the Church in Ireland," Appendix D, p. 31.

[3] Godkin, "Ireland and her Churches," p. 484.

[4] "Report of Commissioners," Appendix, p. 234.

[5] See the list in Brady, "English State Church in Ireland," p. 159, note.

fixed the net revenue at £616,840; and of this amount the two archbishops and ten bishops received a gross income of £78,794, or a net income of £58,031. The income of all the beneficed clergy was £438,317; their net income, £393,833.[1] The Church of a small minority, comprising the most prosperous inhabitants of Ireland, thus received an annual subsidy of more than half a million sterling, while the rest of the people were left to provide for their own religious wants. In no sense was it the Church of the people, and no unbiassed person believed that it ever would be. Great pains, indeed, were still taken, as in the years of the famine, to find some foundation for the fable that a great wave of conversion to Protestantism had swept over the west of Ireland. Had it not been for the religious census of 1861, the argument would have been much more effective, for undoubtedly the Established Church had strained every nerve in proselytising. But the facts did not bear out the plea. In 1834, when the previous religious census was taken, the members of that Church were a little less than a ninth of the population; in 1861 they were a little less than an eighth. In several parishes the total number of Anglicans was found to be less than that of the alleged converts. When we remember that the famine and the great emigration intervened, and that the Roman Catholics suffered far more in proportion than the rest of the people,[2] the progress from a ninth to an eighth furnished small evidence for the opinion that the Established Church, as one of its advocates put it, had been quietly making its way in all parts of the country. "You call it a missionary Church," said Mr. Lowe; "if so, its mission is unfulfilled. As a missionary Church it has failed utterly. Like some exotic, brought from a far country with infinite pains and useless trouble, it is kept alive in an ungrateful

[1] Brady, "English State Church," pp. 174 *et seq.* Killen, "Ecclesiastical History," vol. ii. p. 534. The Appendix to the Commissioners' Report, p. 249, gives their amended estimate. The ecclesiastical commissioners of 1864 had estimated the gross revenues of the church at £586,428.

[2] Obvious as it is, even this has been disputed. "The effect of emigration," wrote Sir J. Napier in 1863, "has told more against us" (Ewald, "Life of Napier," p. 245).

climate and ungenial soil. The curse of barrenness is upon it; it has no leaves, it bears no blossoms, it yields no fruit. Cut it down; why cumbereth it the ground?" It had not only failed of its purpose; it had produced in Ireland a bitterness of religious feeling scarcely to be paralleled elsewhere. As it was not a church of the people in respect of its numbers, neither was it a Church of the people in zeal for their welfare. It has been well described as an endowed party rather than an endowed system of religion. The Churchmen who had once applauded Dr. Cullen for his efforts to keep priests out of politics, themselves rushed into political strife whenever their interests appeared to be threatened; but on no occasion were they found on the popular side. As they had opposed emancipation, so they were now opposing tenant-right. The establishment was thus the favoured institution of a minority, performing no public service, and doing much to widen the gulf between rich and poor. Such, in brief, was the case against the Church.

To review in detail the defence would take too long, though it would be instructive; and only a short summary of the principal arguments can be given. The Church should be maintained, it was said, because its doctrines were true, while the Roman Catholic doctrines were false.[1] Disestablishment and disendowment would increase absenteeism, for what inducement would be left to the Protestant landlords to reside in Ireland? The country would be deprived of the civilising influence exercised by the presence among an ignorant people of the intellectual and educated clergymen of the Irish Church. Protestantism, dependent on voluntary effort, would speedily lose its power. The religious feud, which was repeatedly asserted to be the cause of Irish troubles, would increase in bitterness. Disendowment would be an act of confiscation and robbery, an act exceeding the right of the state, which, as it did not give,

[1] "This," as Mr. Gladstone said, "was the only principle on which it could be properly and permanently upheld" ("Chapter of Autobiography," p. 19); and this principle, as he rightly urged, could not be held by those who approved of the Maynooth grant (p. 30).

so it could not take away. It was not, moreover, a mere Irish question; for the existence of the Church in England was at stake also, and the Liberation Society would not rest till they had completed the work of confiscation.

The plea that the Irish Church was the Church of a minority was met with exceeding boldness. When the famous 114 benefices with a total membership of 1589 were cited, the answer was that these were the very cases where the Church did most good. "It may seem paradoxical," said Dr. Lee, one of the ablest opponents of disestablishment, "but in many parishes in Ireland the smaller and the more widely scattered the Church population, the more necessary it is to maintain the Church there." Remove it (the admission was remarkable), and in a few years these parishes would become religiously and politically Romish.[1] Thus not only was the Irish Church a missionary Church, but the success of its missions, which was magnified with much statistical courage, depended on its connection with the state. Dr. Lee went further, and urged that it was a mistake to treat the Catholics as forming the great majority. "Why, in discussing the Irish Church question," he asked, "is Ireland always considered as a separate country, and not as an integral part of the United Kingdom?" and he showed with much satisfaction that, while the Catholics might form seventy-seven per cent. of the population of Ireland, they formed only eighteen per cent. of the population of the United Kingdom. With like ingenuity did Dr. O'Brien, Bishop of Ossory, protest against the statement that the Church in Ireland was the Church of the minority; "to treat it as separate from that of England," he said, "was to repudiate the fifth article of the Act of Union."[2] Round this fifth article the political controversy raged most fiercely. After declaring the unity of the Churches of England and Ireland, the article provided "that the continuance and preservation of the said united Church as the Established Church of England and Ireland shall be deemed and taken to be an essential and fundamental part of the Union." To

[1] "Facts respecting the Present State of the Church in Ireland," p. 18.

[2] "Case of the Established Church in Ireland," p. 48.

touch that provision affected England as well as Ireland, and raised grave constitutional as well as religious questions. It would be more than to change an Act of Parliament; it would involve the breach of a solemn compact—in short, it meant nothing more nor less than repeal. "You cannot," said the Rev. Mr. Oulton, Rector of Keady, "destroy that which is essential to a thing without destroying the thing itself. A sphere can no longer be a sphere if you destroy its sphericity. . . . Whenever the Church in this country shall be disestablished, the Act of Union between the two countries shall be *ipso facto* abrogated."[1] "Ireland," said Bishop Gregg, "is an integral part of the United Kingdom. The Church in Ireland is an integral part of the United Church. If the Church in Ireland be destroyed, where will be the integrity of the United Kingdom?"[2] "If," said Dr. Lee, "we do away with an essential and fundamental part of the Act of Union, what will that which remains be worth?"[3] In almost every speech and pamphlet of the time this argument formed a chief part of the case for establishment, and if the Union and the Act of Union were one and the same thing it would have saved the Irish Church. But it was only the verbal argument of men who shrank from facing the real facts of their position. Seriously to contend that the Union depended on the continuance of the Establishment was to make the most damaging admission in favour of repeal. Dark indeed were the prospects of English rule in Ireland when the Anglo-Irish colony believed, with the first Lord Plunket, that the Protestant Establishment was the very cement of the Union, and that, if it were destroyed, the foundations of public

[1] "The Repeal of the Union," by Rev. Richard Oulton (1868), p. 13. "True," he said also, "a British Parliament may retain the civil union when the ecclesiastical, once declared essential to the Act, shall have been abrogated; but such would be an exercise of tyranny, not of legitimate power" (p. 32.)

[2] "Charge to the Clergy of Cork, Cloyne, and Ross," by John Gregg, D.D., October, 1867. One step in the argument Dr. Gregg, as a bishop, was entitled to assume and to omit: "the united Church is an integral part of the United Kingdom."

[3] "Facts respecting the Present State of the Church in Ireland," p. 13.

security would be shaken, the connection between England and Ireland dissolved, and private property annihilated.[1]

These and other arguments[2] were passionately urged both within and without Parliament. For two or three years it rained pamphlets in defence of the Irish Church. Its members strained every nerve to enlist sympathy, and to identify their case with that of the Church in England, of the constitution, and even of the institution of private property. Through all their utterances ran a note of most unchristian rage, and a sombre sense of impending ruin made manifest their belief that they were fighting a losing battle. How vehement was the language used may be judged from one example: "Should the British Parliament consent to degrade the weaker sister Church in Ireland to a level with the Church of Rome, as a recognised teacher of the people, it will spit in the face of the English Church, who must share in the degradation which the other suffers; it will do violence to justice and reason, and will disown the constitution of the kingdom, which inseparably links the supreme government of the realm with the Protestant religion." These were the words of Dr. Verschoyle, Bishop of Kilmore, in a charge to the clergy of his diocese.[3] Towards the end of the struggle, when the inevitable result was foreseen, excited Orangemen lost not only their temper, but their respect for the law as well, and talked plain sedition. A certain Rev. Mr. Flanagan particularly distinguished himself by his warlike tone. "If they ever dare," he said, "to lay unholy hands upon the Church, 200,000 Orangemen will tell them it never shall be. . . . Protestant loyalty must make itself understood. People will say, 'Oh,

[1] Plunket's "Life and Speeches," vol. ii. p. 256.

[2] The following remarkable proof of the popularity of the Church deserves to be recorded:—"It had been said the Irish Church was the bane of the country. He denied it. Who ever heard of a Protestant minister — the representative of the Church—being shot in Ireland? He thought that fact furnished an unanswerable argument that the people did not regard the Church with disfavour" (Speech of Mr. Walter Boyd, *Freeman's Journal*, May 29, 1869).

[3] "A Charge delivered to the Clergy of the United Diocese of Kilmore, Elphin, and Ardagh," by Hamilton Verschoyle, D.D. 1867.

your loyalty is conditional.' I say it is conditional, and it must be explained as such. . . . We must speak out boldly and tell our gracious Queen that if she break her oath, she has no longer any claim to the crown."[1] A glance through the columns of any Irish newspaper for 1868 and 1869 will furnish many examples of similar utterances.[2] In short, Great Britain appeared to be on the brink of a bloody war with Ulster.

Of course, no one contended that the condition of the Church was satisfactory, and many who held disestablishment and disendowment to be sacrilege declared that they were anxious to see a reform of the Church. Archdeacon Stopford, who denounced the destructive policy, had for many years advocated reform. Dr. Maziere Brady went even so far as to recommend a reform which amounted practically to disendowment. No one was bold enough to say that things should be left as they were. Desirous at all hazards of maintaining the Establishment, a considerable number of Churchmen put aside the argument based on the truth of the Anglican doctrines, and advocated concurrent endowment. Sydney Smith had advised the payment of the Roman Catholic priests. Archbishop Whately had been strongly of opinion that this would do more than anything else to free the Irish people from that priestly influence which he held to be the chief cause of discontent. In the volume of "Essays on the Irish Church" it was recommended as "the most beneficial and healing measure which could possibly be passed for the United Kingdom in general and for Ireland in particular."[3] Earl Russell believed that the withdrawal of state grants would be a misfortune to Ireland, checking civilisation and arresting the progress of

[1] *Northern Whig*, March 21, 1868.

[2] The common form of Orange rhetoric was in this style: "They would not suffer themselves to be robbed of their blood-bought rights. They were animated by the same spirit as broke the boom, as closed the gates of Derry; by the same spirit as chased the craven followers of James like timid sheep into the Boyne; and if one of the two parties should go to the wall, it would not be the Protestants" (Speech of Rev. Nash Griffin, *Freeman's Journal*, June 15, 1869).

[3] First Essay, by Rev. James Byrne, p. 35.

society in the rural parts. His scheme was for the endowment of the Roman Catholic Church and of the Presbyterian Church, and for the reduction of the Protestant Episcopalian Church to one-eighth of its existing revenues.[1]

In 1866 Earl Grey submitted to the House of Lords certain resolutions recommending the adoption of a similar plan. Many of the Presbyterians in Ireland would have gladly accepted an arrangement which would have involved a great increase in the Regium Donum, and which was asserted to be necessary for the maintenance of religious liberty.[2] But, whatever may have been the merits of the proposed arrangement, there was one fatal objection; the Roman Catholic Church in Ireland would have none of it. The National Association, which may be regarded as representing Roman Catholic opinion, distinctly rejected it. In this state of feeling the proposal lost all importance, and gradually dropped into the background. Earl Russell, while retaining his opinion that it offered the best solution, afterwards admitted that it could not usefully be pressed, and accepted the scheme of general disendowment.[3] The willingness of the Church to correct its worst abuses, and the offer of concurrent endowment, were too late. Things had gone too far for compromise.

Already in 1865 it had been apparent that Mr. Gladstone was prepared for disestablishment, and that the Irish Church was tottering to its fall. On March 28, 1865, Mr. Dillwyn moved "that in the opinion of the House the position of the Irish Church Establishment is unsatisfactory,

[1] Letters to Mr. Chichester Fortescue, 3rd edit. p. 66. The proportion of one-eighth was determined on the basis of population. See also "Recollections and Suggestions," p. 295.

[2] "This right can only be secured by endowment, which would encourage, and not supersede, voluntary contributions, and which should be dealt out equally to the pastors of all denominations" ("Ireland and her Churches," by James Godkin, p. 557). Mr. Godkin was editor of the *Derry Standard*, and had been one of the leading members of the Tenant League.

[3] "I at once discard any preferences of my own, and seek for general disendowment" (Speech in St. James's Hall, April 16, 1868). Earl Grey still believes that concurrent endowment was possible, and that the Roman Catholics objected only to being made stipendiaries of the State ("Ireland," 1888, p. 61).

and calls for the early attention of Her Majesty's Government." The remarkable feature of the debate was the ground on which the Government opposed the motion. They did so, not because in principle they could dispute Mr. Dillwyn's contention, but because by assenting to the motion they would be bound immediately to bring in a Bill to give it effect. The motion, as Mr. Gladstone said, contained two propositions; first, that the position of the Irish Church was unsatisfactory, and second, that it called for the early attention of the Government. "For my part," he said, "I confess that I cannot refuse to admit the truth of the first, and perhaps most important, of the propositions;" and he proceeded to give what in effect were most convincing reasons why the Church should be disestablished. An institution so defended was hopelessly doomed.

In 1868 the warning was uttered in plainer terms. On March 10 of that year, speaking on Mr. Maguire's motion for an inquiry into the state of Ireland, Mr. Gladstone, as leader of the Liberal opposition, pronounced his memorable sentence of death on the Irish Church. "In order to the settlement of the question of the Irish Church," he declared, "that Church, as a state Church, must cease to exist." Following up this declaration, on March 30 he carried, by 330 votes against 270,[1] a motion for a committee of the whole House to consider the Acts of Parliament relating to the Irish Church. A month later he carried against the Government, by 330 to 265, a resolution "that it is necessary that the Established Church of Ireland should cease to exist as an establishment, due regard being had to all personal interests and to all individual rights of property." Two consequential resolutions having been carried, a suspensory Bill, with respect to new appointments in the Church and the proceedings of the Ecclesiastical Commissioners, was introduced and carried through the House of Commons; but the House of Lords rejected it by a large majority. Parliament was dissolved in November. The

[1] Every one of the Ulster members voted with the minority. Of the other Irish members, 65 voted for the motion, and 16 against (Barry O'Brien, "Fifty Years of Concessions to Ireland," vol. ii. p. 240).

general election placed Mr. Gladstone in power, and on March 1, 1869, he introduced a Bill for the disestablishment and disendowment of the Church of Ireland. After long and fierce debate, it was read a third time in the House of Commons by 361 votes to 247. Modifications were made in accordance with amendments carried in the House of Lords, and the Bill passed into law on July 26.

The chief provisions of the Act were as follows:—From January 1, 1871, the union of the Church of England and the Church of Ireland was to be dissolved, and the latter Church disestablished. Its property was vested in a temporary body called the Commissioners of Church Temporalities, who were charged with the administration of the Act; while provision was made for incorporating by charter a body appointed by the clergy and laity to represent the disestablished Church. Persons deprived by the Act of permanent incomes were declared entitled to annuities equal to such incomes, and lay patrons to compensation for the loss of their rights. The Regium Donum and the Maynooth grant were to be discontinued, compensation being given. The surplus proceeds were to be appropriated, as Parliament should direct, "mainly to the relief of unavoidable calamity and suffering, yet not so as to cancel or impair the obligations now attached to property under the Acts for the relief of the poor." In the working out of the Act, the representative body, which was incorporated in 1870, has received, besides other sums, about £9,000,000 for commuted salaries, and £500,000 in lieu of private endowments; to lay patrons has been paid a sum of £778,888; and the compensation for the Regium Donum and other payments to Nonconformists was fixed at £769,599, and that for the Maynooth grant at £372,331. Out of the surplus Parliament has appropriated to intermediate education in Ireland, £1,000,000; to a pension fund for national school teachers, £1,300,000; for distress works, £1,271,500; under the Arrears of Rent Act, 1882, £950,000; and for sea-fisheries, £250,000. In disposing of Church lands, the commissioners were directed to give the preference of purchase

to the tenants, who might leave three-fourths of the purchase-money on mortgage at four per cent. The ordinary tenants of the Church numbered 8432, and of these up to November 1, 1880, 6057 had become owners of their holdings at an average price of $22\frac{2}{3}$ years' purchase.[1] They have repaid their loans with remarkable regularity, and the change in their position has been observed to produce an immediate improvement in point of contentment and industry. In 1881 the powers and property of the commissioners were transferred to the Irish Land Commission. Having concluded their labours, the commissioners gave striking testimony to the ability with which the Act of 1869 had been framed. "It might have been expected," they said, "that in administering a measure so intricate, and which dealt with such a variety of interests, we should have discovered many omissions, and that cases would have constantly arisen that were unprovided for in its clauses. Without asserting that there were no such cases, we can state they were extraordinarily few in number, and that the skill and foresight with which the statute was drawn up were very striking as it came to be practically carried out."[2]

[1] See a detailed account of the administration of the Act in Thom's Directory (1888), pp. 641–644. On the reorganisation of the Church and the internal dissensions to which it gave rise, see "Letters and Memorials of Archbishop Trench" (1888), vol. ii. pp. 102 *et seq.*

[2] "Report of Church Temporalities Commission for 1880," p. 20.

VI

THE LAND QUESTION

THE land question, bristling with even greater difficulties than that of the Church, had next to be faced. Certain aspects of the land grievance have already presented themselves, but we have hitherto seen merely the surface. Let us now look more closely at the position of a typical tenant, with a holding of fifteen acres, more or less.[1] He was probably born on the land. He or his fathers had reclaimed it from bog and waste, had built the wretched

[1] Compare the interesting sketch of a representative Irish farmer in Brodrick, "The Irish Land Question, Past and Present," pp. 29 *et seq.* That, in spite of the great clearances, Ireland was still a country of small holdings is shown by the following table:—

Year.	1 acre and under.	1 to 5 acres.	5 to 15 acres.	15 to 30 acres.	Over 30 acres.
1841	135,314	310,436	252,799	79,342	48,625
1851	37,728	88,083	191,854	141,311	149,090
1861	40,080	85,469	183,931	141,251	157,833
1871	48,448	74,809	171,383	138,647	159,303

On these figures we may remark: 1. The change in Irish holdings was nearly completed in 1851. 2. The increase in the larger holdings took place, not by the introduction of a new class of farmers, but by annexing a vacant holding to another holding near it. "A ten-acre farmer has been converted into one of twenty acres by the Procrustean device of stretching him" (Mr. Dalton in reply to Lord Dufferin: quoted in Butt, "The Irish People and the Irish Land," p. 134). 3. The ill success of the attempts to cultivate larger farms with the capital of smaller farms may explain why, after 1851, the process of consolidation did not go further. "An examination of counties that may fairly be compared," said the *Times* correspondent in 1869, "shows that the resources of Ireland have increased most where the small-farm system has not been invaded, and that they have increased less where there has been an effort to introduce hastily the large-farm system" (O'Connor Morris, "Letters on the Land Question of Ireland," p. 286).

homestead, and had made the rude fence. It was he, and not his landlord, who had brought the soil into cultivation; for, as the Duke of Newcastle happily expressed it, "in England and Scotland the landlords let farms; in Ireland they only let land."[1] He and his family tilled the land, very rarely with any outside assistance, so that we might fairly place him in the class of labourers rather than in that of farmers. His rent was almost always in arrear; in fact, he had probably agreed to pay more than the condition of the land warranted because he knew that punctual payments were scarcely expected. To all appearance, and very likely in truth, he was a man without capital beyond what he may have sunk in purchasing the goodwill of his holding. If he accumulated a little store, he did not dream of expending it on the land, but hoarded it up. "As soon as the poor tenant has brought his farm to that degree of fertility which enables him to pay a rent and live, all further improvement is studiously avoided, as a thing which the tenant believes will only increase his labour to produce a larger rent for the sole benefit of the landlord, whom he regards as a vigilant spy upon every symptom of ability to pay more rent. . . . He therefore avoids every exhibition of prosperity and comfort, in his dwelling, in his dress, and in the condition of his wife and children. He believes that his safety lies in the deplorable appearance of his hovel, his family, and his rags. This feeling is not

[1] Hansard, August 9, 1851. On this point the classical passage is in the Devon Report: "It is admitted on all hands that, according to the general practice in Ireland, the landlord builds neither dwelling-house nor farm-offices, nor puts fences, gates, etc., into good order, before he lets his land to a tenant. The cases in which a landlord does any of those things are the exceptions. The system, however, of giving aid in these matters is becoming more prevalent. In most cases, whatever is done in the way of building is done by the tenant, and, in the ordinary language of the country, dwelling-houses, farm-buildings, and even the making of fences, are described by the general word 'improvements,' which is thus employed to denote the necessary adjuncts to a farm, without which, in England or Scotland, no tenant would be found to rent it" ("Digest," p. 1123). When the system of giving aid became more prevalent, the landlord generally charged five per cent. on his advance, and added it to the rent. For building the landlord often gave the slates and timber (see "Reports from Poor Law Inspectors on the Relations between Landlord and Tenant," 1870).

confined to the poor reclaimers of bog and mountain; it pervades the great majority of tenants from year to year of all the land so held in the country." [1]

In the eye of the law, the landlord had virtually absolute dominion over the land. The tenants had no security that they would be left in undisturbed possession. It was wholly at his discretion whether they should stay or go. The law required, indeed, that he should not remove them save in certain prescribed ways; but the tendency of land legislation for Ireland had been to facilitate and cheapen the process of removal, and some of the restrictions were capable of easy evasion. Thus the old rule that a tenant from year to year, not holding under a written agreement, could not be evicted for non-payment of rent without a six-months' notice to quit expiring with his year of tenancy, was got over by the device of an annual notice to quit.[2] That the tenant had improved his holding was not material, and the landlord was not bound to recognise any claim on that account. He might have looked on and given no warning while his tenant expended time and money on the land; he could still appropriate the result.[3] For the land was his, and all that adhered to it was his. *Quidquid plantatur solo, solo cedit*, or, in Mr. Shee's happy translation,

[1] Fitzgibbon, "Land Difficulty of Ireland," p. 28. Mr. Cotter Morison, in "Irish Grievances," p. 43, says, "One of the most distinguished of the scientific men of Ireland recently told me the following anecdote: Seeing a farmer whom he knew to be not without means clad in the most shabby and tattered garments, he asked him the reason. 'Sure,' said the other, 'the last new coat cost me 2s. 6d. an acre more rent.'"

[2] See Devon Commission Digest, chap. xx. On many estates every yearly tenant was regularly served with a notice. Even after the law was changed, the practice was not abandoned. As late as 1870 the whole body of Lord Leitrim's tenantry were said to be served every April with notices to quit ("Report of Poor Law Inspectors," etc., p. 15).

[3] The English Law was not different, but it was applied in wholly different circumstances. It would not be easy to parallel on an English estate the case of *O'Fay* v. *Burke* (8 Ir. Ch. Rep., pp. 225 and 511), a case in which the Master of the Rolls expressed his regret that he was compelled by law to administer injustice; or the story of the demolition of Kilkee by the Marquis of Conyngham. The story is well told in a pamphlet entitled "Tenant Wrong illustrated in a Nutshell" (1867), by the Rev. Sylvester Malone; and the accuracy of Mr. Malone's account is confirmed by the criticism of the Marquis of Conyngham on some points of detail (see Mill's "England and Ireland," 3rd edit. p. 8).

"Tenants' improvements are landlords' perquisites." Therefore, so far as the law was concerned, the landlord was lord and master, and his tenants were dependent on his fortunes and personal character. He might add the obligations of decency and honour to those of law; but, on the other hand, he might make his legal rights terrible weapons of tyranny, selfishness, and bigotry.

Over nearly the whole of Ulster, and in a much weaker and less definite form in the rest of Ireland, prevailed a custom of tenant-right which mitigated the harshness of the law. The essential features of Ulster tenant-right[1] were two: first, that so long as the tenant kept to the conditions of his tenancy and paid his rent, he should be left in undisturbed possession: and, second, that on giving up possession, whether voluntarily or through inability to pay the rent, he should be entitled to sell his interest in the holding. The landlord might periodically revise the rent, though a rack-rent by extinguishing the tenant's saleable interest would have been a breach of the custom; he might refuse, but only on reasonable grounds, to accept the proposed new tenant; and when he himself took over the farm, he had to buy the tenant-right at a fair value. All arrears of rent due by the outgoing tenant were deducted from the price of the tenant-right. The custom varied on different estates. On some there was practically free sale; on others the price was regulated by the landlord, either at so much per acre or at so many years' purchase. In Londonderry it is said to have varied from five to twenty years' rent, or £6 to £24 the Irish acre; in Antrim and Down, to have been seven or eight years' rent, or from £30 to £40 the Irish acre. Cases were known where it sold for seventy or eighty years' purchase. Over the whole province the tenant-right was estimated to have a selling value of £20,000,000. Yet this valuable form of property was absolutely unprotected by law. Unlike so many English

[1] In addition to the account of the custom in the Devon Report, see Judge Longfield's Essay in the Cobden Club volume on "Systems of Land Tenure," chap. vi.; Dufferin, "Irish Emigration and Land Tenure," p. 308; Donnell, "Land Reports:" introduction; Richey, "Irish Land Laws," p. 100; Barry O'Brien, "Parliamentary History of the Irish Land Question," p. 131.

customs, which the courts have enforced, "a custom like that of Ulster, to pay to the tenant the value of his occupancy upon the legal determination of his tenancy, was one contradictory to the nature of the estate created, and excluded by the terms of the contract itself."[1] It depended solely on public opinion, which in the last resort was enforced by violence. So firmly was the custom established that not even with the consent of his tenant could a landlord safely ignore it, a tenant who yielded and waived his claim being deemed to have committed an offence against his fellows. That the custom was beneficial is hardly in dispute. It benefited even the landlord; for while rents in Ulster ran as high as elsewhere, they were paid much more regularly, and on a change of tenant the landlord could come upon the purchase-money for arrears due to him.[2] To the tenant it gave the inestimable advantage of security. He bestirred himself, and expended money and labour on the improvement of the land, having the assurance that he was protected against both dispossession and an arbitrary raising of rent. The system had certainly a less favourable side. Judge Longfield pointed out that the high price of tenant-right required the incoming tenant to have about double the capital that would otherwise have been necessary; that where a great depreciation of land took place, as in 1848, the loss fell entirely on the

[1] Richey, "Irish Land Laws," p. 101. The explanation is not quite satisfactory. One cannot but think that, if it had established itself in Lincolnshire or Gloucestershire, English judges (at least in earlier days, when the law retained an elasticity which it has since largely lost) would not have refused to recognise it. The reasonableness of a custom that a tenant should have the waygoing crop on the expiration of his term, was put by Lord Mansfield in the leading case of *Wigglesworth* v. *Dallison*, on the simple ground that "he who sows ought to reap, and it is for the benefit and encouragement of agriculture." Of course, the Ulster custom is very different in character from any of the English agricultural customs, but the principle on which the latter were recognised was wide enough to cover the former. We may go further, and say that if their case had been decided at an earlier period, the Ulster tenants would have acquired fixity of tenure, like the copyholders of England or the "kindly tenants" of Scotland.

[2] "Tenant-right in Donegal . . . is acquiesced in and encouraged by many agents and landlords, because they look on it as the best security they can have for the payment of the rent" (Coulter, "West of Ireland" p. 319).

tenant; and that the recognition of the tenant-right, bought at a full price, depended too much on the will of the landlord. "A landlord who would not venture altogether to destroy the tenant-right, has still the power to make a very great reduction in its value. The tenant holds a valuable property at the mercy of another, who has an interest in taking it from him.[1] There is no doubt, moreover, that other causes besides this custom, particularly flax-growing, contributed to the comparative prosperity of Ulster. But the evidence of every competent witness, of landlords and tenants who lived under it and of strangers who studied it, is clear, that in so far as the custom placed the tenant in a position of security it exercised a strong and beneficial influence. Where the system was fairly tried outside Ulster it produced similar effects. In 1842, when the Portsmouth estate in Wexford was in Chancery, the receiver, a native of Ulster, encouraged its introduction, besides giving leases freely, with the result that the Portsmouth estate, which formerly was like other Irish estates, has been since distinguished for the industry and prosperity of the tenantry.[2] The idea of tenant-right, moreover, not only was familiar to the peasantry in other parts of Ireland, but seemed to them necessarily involved in the relation of landlord and tenant. Throughout the agrarian agitation of this time landlordism itself was not assailed. The right to a fair rent was not questioned.[3] But so long as he paid the fair rent, the tenant, though in law holding from year to year, considered himself entitled to security of possession. Accustomed to this view, he would will and bequeath "the whole of my land and stock"; he would charge his tenancy with dowers and portions; he would use the word "seized" in describing his interest. In short, he assumed in every act of his life that he had a right of property in the land.

[1] "Systems of Land Tenure" (edit. 1881), p. 40.

[2] O'Connor Morris, "Letters on the Land Question of Ireland," pp. 136–145.

[3] "I think highly of Irish tenants as a class; and I have never met with, and seldom have heard of, a tenant who is unwilling to pay a reasonable rent" (W. J. Hamilton in "Poor Law Inspectors' Reports on Relations between Landlord and Tenant" (1870), p. 79).

The persistent efforts of the landlords to root out this idea, aggravated by frequent cases of harshness in the exercise of their legal rights, furnish a sufficient explanation of the land war in Ireland.

"The foundation of almost all the evils by which the social condition of Ireland is disturbed," it was said in the Devon Report, "is to be traced to those feelings of mutual distrust which too often separate the classes of landlord and tenant, and prevent all united exertion for the common benefit." The clearances which followed the famine, and the hasty zeal of improving landlords, deepened the tenants' feelings of distrust and insecurity. Doubtless the new class of landlords who came through the Encumbered Estates Court acted with least consideration of the tenants' claims, but the unhappy result was not due to them alone. Such a change of policy as took place when the Earl of Leitrim succeeded to his property in 1854 was not uncommon, though in point of rigorous administration the Leitrim code probably stood alone. "Since 1854," the earl frankly deposed, in resisting the application of the Land Act of 1870 to his estate, "he had made it an inflexible rule to prevent subdivision or subletting. During that time no tenant-right custom had been permitted. If any tenant sold his interest to another, he would evict the parties."[1] The action of many good landlords, who, with the best intentions, and from a sense of duty, strove to transplant English habits into Ireland, tended in the same direction. Proceeding with undue haste to revolutionise the habits of the people, they succeeded in so shaking the confidence of the tenants that an improving landlord came to be more unpopular even than an evicting landlord. Still more baneful than such exceptionally high-handed acts as those of Glenveagh and Partry, because it was a feature of the tenant's common lot, was the steady downward pressure, which took away from him nearly every inducement to industry. Without security of possession, and feeling that prosperity meant increase of rent, he saw no advantage in being industrious and enterprising. Giving evidence on the causes of emigra-

[1] *Friel* v. *Earl of Leitrim:* Donnell, "Land Reports," p. 207.

tion before a committee appointed in 1865 to inquire into the failure of the land legislation of 1860, Mr. M'Carthy Downing said, "The tenants go because they find that, no matter how they may work and slave in their own country, they do not reap the benefits of it."[1] "I have no doubt whatsoever," said the Bishop of Cloyne, "that the present state of the land question is the root of it all."[2] "I never yet heard," he repeated several times, "that a single farmer left the country and became an emigrant who had a lease."[3] And again, "Those who go attribute their being compelled to go to the want of good legislation; to the existence of bad legislation or bad government, according to their belief. Yes, and their disappointment is, I may say, made more bitter in consequence of all that has been done, or rather in consequence of all that has been discussed now for the last twenty years or more."[4] "Under the present system," said Judge Longfield, "where the tenant has so few rights, and the law is so hard against him, a great part of the tenant's prudence or cunning is to conceal his capital."[5] "The real grievance," as he wrote afterwards, "was not that the tenant frequently lost the value of his improvements, but that his liability to this loss generally prevented him from making those improvements which would have been profitable to himself and useful to the country."[6]

Irish landlords, indeed, cannot be held directly responsible for everything done in their name. Where the estate was large, the landlord was often merely a rent receiver, seldom seen by his tenants, and ignorant of their feelings and wants.[7] The agent, not the landlord, was the real governor. "The agent over a large estate like this," said Mr. Trench, referring to the Marquis of Bute's property, "must necessarily, in almost all disputed cases, become the arbitrator between the interests of the landlord and the tenant." It was in the nature of things that the

[1] Minutes of Evidence: Q. 3143. See also Q. 2447, 2461.
[2] Ibid., Q. 3400. [3] Ibid., Q. 3401, 3425, 3808. [4] Ibid., Q. 3408.
[5] Ibid., Q. 292. [6] "Systems of Land Tenure," p. 57.
[7] "Had they (Irish landlords) bestowed ordinary attention on their own affairs, half the present evils of Ireland could not have existed" ("The Irish Difficulty," by an Irish Peer, p. 11).

agent should incline to the landlord's side, and that he should often be a hard master. "The chief characteristic of landlord power," said Mr. Godkin, "as felt by the tenant, is *arbitrariness*. The agent may make any rules he pleases, and as many exceptions to every rule as he pleases. He may allow rents to run in arrear; he may suddenly come down on the defaulter with a fell swoop; he may require the rents to be paid up to the day; he may, without reason assigned, call in 'the hanging gale'; he may abate or increase the rents at will; he may inflict fines for delay, or give notices to quit for the sole purpose of bringing in fees to his friend or relative, the solicitor."[1] Many estates were too large even for an agent to supervise, and a further delegation of duties was made to sub-agents and bailiffs. The agent was often not resident on the estate at all, but managed it from his Dublin office. "I could mention many cases coming before me," said Judge Longfield, "in which an agent who had been for years agent could not give me the slightest idea of the boundaries of the farms over which he was agent."[2] A worse system could not have been devised. The landlord's power, which was tolerable only on condition of being used temperately and sympathetically, was delegated to men whose training and personal interests led them to use it in a hard, narrow, and oppressive way.

The position of the tenant thus depended on the landlord's forbearance, and the safeguard had proved insufficient. The question which Parliament had now to decide was whether Irish landlords could any longer be safely entrusted with the legal powers which they possessed.

The arguments against interference involved two very strong propositions: first, that the landlord owns the land as he owns any other kind of property; and, second, that the land laws of England must be the land laws of Ireland. To a Parliament of landlords and of business men these propositions seemed self-evident. To deny them, as they were denied in every Tenant-Right Bill, was simply to

[1] Godkin, "Land War in Ireland," p. 415.
[2] Committee of 1865: Q. 306.

encourage dishonesty. "The leading principle of this Bill," said Lord Palmerston of the moderate proposal of 1858, "is to transfer the property of one set of persons to another and a different class." Permit this laxity in regard to land, and what kind of property would be secure? Concede the rights of tenants in Ireland, and how can you resist a similar claim when made by tenants in England? It was natural that, seeing things in this light, English landlords should make the cause of Irish landlords their own. Nothing, indeed, is more evident (and it is an instructive fact) than that the real strength of the opposition to the various tenant-right measures was in England, not in Ireland. It was men whose experience was confined to the English agricultural system who urged most strongly that the tenants' claims were incompatible with the rights of ownership. They refused to recognise that Irish experience had already settled the point. To the Irish mind there was no incompatibility; the only question was whether it had become necessary for the State to interfere on behalf of the tenant.[1]

But the fears or the prejudices of the landlords were not the only obstacles in the tenants' way. Men of business joined the landlords in condemning a policy which apparently conflicted with the principles of free trade, asserting that it was as mischievous to protect a tenant against his landlord as to protect both against foreign competitors. Political economy, though the greatest political economist of the time thought differently, thus seemed to confirm the landlord instinct. The Whigs, who found, in the financial debates of 1860 and 1861, that the battlefield of free trade had not yet been finally won, took this high ground of principle in opposing all forms of tenant-right. The straitest school of Radicals, free from

[1] "The landlords themselves meet you, not by asserting their right to do what they will with their own, but by saying that they never do evict without satisfying the tenant. In short, I find that whatever a man may be, landlord or no landlord, if he is only an Irishman, there is no difficulty in fairly discussing the question with him. It is not in him to scout the tenants' claim as utterly monstrous and unreasonable" ("The Irish Land," by Sir George Campbell, p. 103).

the emotional influence which made Mr. Bright champion the Irish cause, saw the matter very much in the same light, and believed that half the evils of Ireland were due to the bad business arrangements between landlords and tenants. "They must trust in Ireland to private bargaining," said Mr. Joseph Hume, "and the only practicable tenant-right would be in passing laws to remove every impediment which precluded fair and equal dealing between landlord and tenant." It is indeed a noteworthy, though not a surprising, fact that the Tory party, in which the landed interest was so strong, had all along been much more inclined than their opponents to treat the tenants' claims in a sympathetic spirit. Lord Derby, who on one occasion confessed that he had "burnt his fingers with tenant-right,"[1] was frequently denounced for playing with revolutionary ideas. In 1859 the *Saturday Review* declared that "Derbyism has ever since 1846 been in more or less friendly association with the communists of the Irish Tenant-Right League," and there is no doubt that in some degree the leaders of the Tory party deserved the credit of the reproach. It was natural that the old defenders of protection should be thus less rigid than the new advocates of free trade. They certainly believed tenant-right to be landlord wrong, but they were little hampered by economical scruples, and could hardly feel that the tenants' claims were any the worse for apparently conflicting with free-trade principles. Except in 1852, however, if even then, their leaders never took any serious interest in the subject.

[1] Shee, "Papers, Letters, and Speeches on the Irish Land Question," p. 210.

VII

THE LAND ACT OF 1870, AND THE HOME RULE MOVEMENT

THE failure of the legislation in 1860 and the increasing distress in Ireland opened the whole question. Mr. Maguire succeeded in getting a select committee appointed to inquire into the working of the Improvement Act of 1860. Very valuable evidence, to which we have already referred, was given on the position and prospects of Irish tenants; all the more valuable because no witness was examined who held extreme views on either side of the question. The weight of evidence was distinctly in favour of strong legislation in the tenants' interest, not one of the six witnesses maintaining that things could be left as they were; but the committee decided otherwise. They reported that, though certain modifications in detail were expedient, "the principle of the Act of 1860. . . . that compensation to tenants should only be secured upon the improvements made with the consent of the landlord, should be maintained." Further evidence was collected by a committee of the House of Lords, appointed in 1867 to report on a Bill introduced by Lord Clanricarde, the aim of which was to encourage voluntary contracts between landlords and tenants. Meanwhile both a Liberal and a Conservative Government had attempted a settlement. In 1866 Mr. Chichester Fortescue introduced a Bill by which tenants not holding under existing leases would have been entitled to compensation for specified improvements in cases where the improvements were not prohibited by a written agreement between the parties. In 1867 Lord Naas produced another scheme, of which the chief feature was that the tenant might submit his plans of improvement to a public commissioner; if the

commissioner approved them, they could be carried out, notwithstanding the landlord's dissent. These measures went a long way beyond the Act of 1860, and involved principles which in 1860 had been strongly opposed. But they had come too late. They were the last attempts, as Mr. Butt said, "to remedy the most flagrant evils of the insecurity of tenure without interfering with the landlord's absolute dominion."[1]

The question was now not whether the landlord's rights should be restricted by law, but what the restrictions should be. Innumerable plans were suggested. Mr. Butt, for instance, proposed that occupiers of agricultural tenements should be entitled to hold for a term of sixty-three years at a fair rent, to be fixed by the chairman of the Civil Bill Court, the landlord having full power of eviction on non-payment, and being entitled to prohibit sub-letting.[2] Judge Longfield's scheme would have given to Irish tenants power to purchase a parliamentary tenant-right at a definite price, based upon the rent of their holdings; the landlord of a parliamentary tenant would then be restrained from evicting, except for breach of covenant or non-payment of rent, and if the rent were raised the tenant would be entitled to surrender his holding, and to receive from his landlord the value of his tenant-right.[3] In addition to such proposals for the protection of tenants, the creation of a farmer proprietary began to excite considerable attention. We do not dwell upon these and other schemes except to note that it had become almost a commonplace of the subject that a satisfactory measure must be retrospective.[4] No one, from

[1] "The Irish People and the Irish Land," p. 220.

[2] "Fixity of Tenure; Heads of a Suggested Legislative Enactment, etc.," (1866). Mr. Butt intended his plan to be temporary; as soon as an independent tenantry could be created, freedom of contract was to prevail.

[3] "Systems of Land Tenure," chaps. vi., xiii.; and see Professor Cairnes's exposition of the scheme in Barry O'Brien, "Parliamentary History of the Irish Land Question," p. 196. A strong feeling existed that the Longfield scheme did not receive sufficient consideration; its advocates claimed for it the merit of giving security to the tenant with the least possible disturbance of Irish ideas.

[4] "In considering the question of tenants' improvements, it appears to me that a satisfactory settlement for the past is even a greater desideratum

reading the debates of 1870, could imagine what an outcry used to be raised against the retrospective clause in the Bills of the Tenant League.

So rapidly had opinion ripened that Mr. Gladstone's Bill, though it underwent some important alterations, passed through Parliament without meeting any very serious opposition. The Land Act of 1870 has often been called a revolutionary measure, and yet nothing is more remarkable than the care with which it was laid on Conservative lines. "In appearance," as Professor Richey said, "it gave the tenants no new rights, nor in anywise deprived the landlord of any; but attempted to effect its object in a circuitous manner by affixing what was essentially a penalty to the exercise of rights which it admitted to be legal."[1] In this attempt can be found the chief cause of the failure of the Act, though it must be remembered that the application of a bolder and more direct method would certainly have resulted in the rejection of the measure by the House of Lords. The leading provisions may be shortly summarised. The Act gave legal force to the Ulster custom and to similar usages prevailing in the other provinces, but did not by definition or otherwise establish uniformity of tenant-right. Customary tenants might elect to renounce the custom and claim the new statutory rights, but this meant descending to a much less favourable position. A non-customary tenant, when disturbed in his holding, could claim by way of compensation or damages a sum not exceeding so many years' rent, the number of years varying inversely with the Government valuation of the holding, and the sum in no case exceeding £250. Ejectment for non-payment of rent was not to be deemed a disturbance, except in cases where more than three years' rent had been allowed to fall into arrear, or in the case of tenancies the

than the most favourable arrangement for the future" (Dufferin, "Irish Emigration and Land Tenure," p. 271). Lord Dufferin, it should be noted, was ready to reverse the presumption of law that what is affixed to the soil belongs to the landlord (p. 256).

[1] "The Irish Land Laws," p. 64.

rent of which did not exceed £15, if the court should certify that the rent was exorbitant. On quitting his holding, a tenant could claim compensation for improvements—that is to say, for works which added to the letting value of the holding and were suitable thereto, and also unexhausted tillages, manures, and other like farming works; and with certain exceptions all improvements were to be deemed, until the contrary was proved, to have been made by the tenant or his predecessors in title. With the express or implied consent of his landlord, a tenant might sell the goodwill of his holding. Tenants of holdings valued at or over £50 per annum could contract themselves out of the Act as regards compensation for disturbance and for improvements; while, as regards compensation for disturbance, the restriction on other tenants was to remain in force only for twenty years from January 1, 1871. Lastly, in what were known as the Bright clauses, the Act contained provisions for enabling tenants to become owners of their holdings, the Board of Works being empowered to advance two-thirds of the purchase-money, repayable in thirty-five years.

The Act was thus designed on the one hand to give greater security to tenants, and on the other hand to increase the number of landowners, but in neither direction did it produce satisfactory results. A select committee appointed in 1877 to inquire into the working of the Bright clauses, reported that while there was a general desire on the part of the tenantry to become absolute owners of their farms, only seven sales had been effected under the Act up to the close of 1877. The fundamental difficulty had been the inconsistent duties imposed upon the land judges of consulting the interests both of the tenant-purchasers and of the vendors; and the committee recommended the creation of an independent body, entrusted with sufficient funds to enable them to purchase suitable estates with the view of afterwards selling to the occupying tenants. The Act failed equally to effect its main purpose of protecting the interests of the tenant, because it left the landlord's rights practically undiminished. An Irish county court

judge has thus expressed briefly and truly the cause of the failure: "Under the Land Act of 1870, as a general rule, the rights of the tenant could be only realised on eviction and when he was leaving the land; and experience soon showed that, as the Irish peasant, rather than face eviction and quit his home, was willing to forego the benefits of the law, and to submit almost to any hardship, the statute proved in a great measure useless."[1] Against an unjust increase of rent the tenant had no real protection. He submitted, fell into arrear, and thereby became liable to eviction without being able to claim the statutory compensation. On many estates tenants of holdings of over £50 were forced to contract themselves out of the Act, or to accept leases which excluded compensation for disturbance. At first some good results appeared. Tenants were stimulated to improve, though at the same time landlords' improvements were checked. But when the working of the Act became better known, and the amounts awarded in compensation were seen to fall far short of the high expectations which had been raised, there followed a relapse into the old ways. A feeling of disappointment prevailed among the tenants. The promised security turned out to be delusive. A great increase in the number of evictions from 1878 onwards, during years of failing crops and deep distress, brought into strong light the weak places in the Act; and once more the land question was forced upon Parliament by the revival of agitation in Ireland.[2]

The defects of the Act of 1870 pointed to the necessity of more direct interference on the part of the state, in order to secure to the tenants fair rents, fixity of tenure, and free sale. These three points (the three F's, as they were called) were more or less fully conceded in the Land

[1] O'Connor Morris, *Contemporary Review*, February 1884, p. 178.

[2] On the operation of the Act of 1870, see the reports and minutes of evidence of (1) Lord Lifford's Committee (1872), (2) Mr. Shaw-Lefevre's Committee (1878) on the Bright Clauses, (3) the Royal Commission on Agriculture (the Duke of Richmond's, 1879–1881), and especially (4) the Royal Commision on Irish Land (Lord Bessborough's, 1880–1881).

Act of 1881; and thus, after a long and bitter struggle, Parliament was at length driven to accept the principles laid down by the Tenant-Right Convention of 1850. To follow the fortunes of the Act of 1881, and to relate how the scheme of judicially regulating rents has been affected by the subsequent fall in agricultural prices, would be beyond the scope of this history, and would bring us within the range of present politics.

The increasing influence of the Irish party in Parliament, and the progress of the national movement, are likewise subjects which cannot be disentangled from the controversies of the day. Yet a history of Ireland should not conclude without some indication of the steps by which an English political party were led to inscribe Home Rule for Ireland in their programme; and so much can be done without touching on disputed matters. In the autumn of 1870 was formed in Dublin the Home Government Association of Ireland, a body in which Conservatives and Liberals, Protestants and Catholics, were brought together by their common belief in self-government as the remedy for Irish evils. The scheme of the association (which was reconstituted in 1873 under the name of the Home Rule League) provided for an Irish parliament, which should manage the internal affairs of Ireland and have control over Irish resources and revenues, subject to the obligation of contributing a just proportion towards imperial expenditure, Ireland continuing to be represented on imperial questions in the Imperial Parliament. At the general election of 1874, nearly sixty Home Rulers were returned for Irish constituencies; and year after year, Mr. Butt, who became leader of the party, brought the proposal before the House of Commons. But for the most part he preached to deaf ears. This failure of calm argument led to a division in the Home Rule ranks. The main body, under Mr. Butt, and after his death in 1879 under Mr. Shaw, still favoured a moderate policy; while a minority, led by Mr. Parnell, convinced of the uselessness of the old method, determined to carry on a vigorous agitation in Ireland, and in the House of Commons to use every weapon of parlia-

mentary procedure in order to make their influence felt. In 1879 the increase of evictions led to a renewal of the land war. The Land League, an association organised by Mr. Davitt, was formally established under the presidency of Mr. Parnell, its objects being, first, to bring about a reduction of rack-rents, and, second, to facilitate the obtaining of the ownership of the soil by the occupiers. The league soon acquired a position of popular power such as no organisation had ever held in Ireland before; but owing to the state of the franchise, it had not a representation in Parliament of corresponding strength. Though the general election of 1880 increased the Home Rule vote to sixty-four, not more than a half of this number joined with Mr. Parnell, either in the agrarian revolt which he headed, or in his continuous and violent resistance during the Gladstone administration to the severe repressive measures that preceded and accompanied the new land legislation. The parliament of 1880 was dissolved in 1885, having passed the Reform Act which established the household franchise in Ireland. This great increase in the electorate enabled Mr. Parnell to carry all before him; and in the result, out of the total Irish representation of a hundred and three, eighty-five members were elected on a strict pledge to follow him. Even in Ulster seventeen out of the thirty-three seats were gained by the Nationalists. Early in 1886, Mr. Gladstone, who had been defeated on the budget of the previous year, returned to power, prepared to accept the large nationalist majority as a clear indication of the will of the Irish people. In April he introduced a Bill providing for the creation of an Irish parliament to manage Irish affairs, and accompanied it with another bill for the buying out of the Irish landlords. The secession of a considerable number of Liberal members (who have since been known as Liberal Unionists) caused the defeat of the Government on the Home Rule Bill. An appeal to the country followed in the summer. Again were eighty-five Nationalists returned for Irish constituencies; but in England the election resulted in a great majority against Mr. Gladstone, though it is a matter of some doubt whether

the Home Rule Bill or the Land Purchase Bill had most to do with this defeat. Since the general election of 1886, the Irish question, still unsettled, but changed in character by the alliance of one of the two English parties with the Nationalists of Ireland, has continued supreme in political interest and urgency.

VIII

CONCLUSION

IT remains only to take a brief retrospect. Whether we regard the material well-being of the Irish people or their political relations with England, the period following the famine must fill the mind with a sense of depression. Looking back from the point which has been taken for the conclusion of our historical survey, namely, the year 1870, we can observe, indeed, some signs of material progress, though in dwelling upon them we run the risk of exaggerating their importance. The total wealth of the country had greatly increased. The rate of agricultural wages had risen considerably,[1] and more regular employment could be obtained. The houses of the people had improved, or, to speak more correctly, the number of one-roomed mud cabins had greatly diminished. Their food was better and more varied; and except in the poorest districts of the west, where the peasants still remained dependent on the potato, the danger of general famine had, to all appearance, finally passed away. Here and there some bright feature thus appears to relieve the sombre aspect of the period, and to convince us that the mass of the people had risen to a higher level. Nevertheless, the level was still miserably low. Judged by no ideal test, but

[1] If we take, as the first point of the comparison, some year just before the famine, we may say that the rate had doubled; but from 1851 to 1869 the rise is comparatively slight. Professor Cliffe Leslie, writing in 1868, says that he "has for many years been collecting statistics of prices in connection with a different question, and can affirm that wages have remained at 1s. a day throughout the greater part of Ireland since 1859" ("Land Systems of England, Ireland, and the Continent," p. 98). In 1878 the average was 8s. or 9s. a week (*Irish Statistical Society's Journal*, vol. vii. p. 308). See also, on the subject of Irish wages, Lord Dufferin, "Irish Emigration and Land Tenure," p. 276; Murphy, "Ireland," p. 204; Butt, "Irish People, etc." p. 146.

by the realised prosperity of neighbouring nations and other parts of the United Kingdom, the condition of Ireland was dark and cheerless, suggesting rather stagnation than healthy vigour. Her progress, moreover, had been suddenly arrested. The second of the two decades which we have reviewed added little to what had been accomplished during the first. The onward movement, which began after the famine, was stopped by the unfavourable seasons of 1860–1862, and there had been no recovery from the sudden check which agriculture then received. There is little exaggeration in saying that the Ireland of 1869 was scarcely a step in advance of the Ireland of 1859.[1] Lastly, the improvement can for the most part be attributed to the thinning of the population. On this point the evidence of so unprejudiced an observer as Sir James Caird is very valuable. Writing in 1869, he says, "I visited the worst and most distressed, and also some of the best districts of that country in 1849, immediately after the famine, and on recently traversing nearly the same tract, after an interval of twenty years, I cannot say that its agriculture presented much evidence of general improvement. The people are better clothed, better housed, and better fed, not because the produce of the ground has been materially increased, but because it has become of more value, and is divided among two-thirds of the numbers who shared it then. Most of the wet land is still undrained. The broken, worn, and gapped hedges remain too much as before. Except in Ulster and the eastern seaboard of the country, there is little appearance of any investment of capital in cultivation. What the ground will yield from year to year at the least cost of time, labour, and money is taken from it. The change consequent on the diminution of the population has been followed by an equivalent decrease of the area under corn, and the substitution of live stock in about the

[1] See the passage from Dr. Hancock's pamphlet on "The Alleged Progressive Decline of Ireland," quoted by Lord Dufferin, "Irish Emigration, etc.," p. 341; and compare Judge Longfield's account of the progress of Ireland in his address to the Social Science Association (Dublin, 1861) with any description of the state of the country a few years later.

same proportion. The produce is thus more secure, and obtained at less cost, and being divided among a smaller number of people, they have each a larger share. But there is little spirit or enterprise, and scarcely a sign over a large portion of Ireland of that immense stride which has marked the progress of agriculture in England and Scotland during the same period."[1] The progress which Ireland had made was due, in short, rather to a mechanical than to an organic change. A third of the people had gone: but the habits, the fortunes, and the hopes of those who remained were not essentially altered. Nor was the stagnation in agriculture, the staple industry of the country, compensated by advance in other directions. The flax trade, indeed, had received a great stimulus from the stoppage of American cotton supplies during the war, but on the whole Irish manufactures remained in a very feeble condition. "In 1868," says Mr. Murphy, "Great Britain had 6205 spinning and weaving factories, in which were 44,179,050 spindles, 532,709 power looms, and 781,280 persons employed; while in Ireland there were only 198 such factories, numbering 938,381 spindles, 13,910 power looms, and 72,963 persons employed." Of the 72,963 persons employed, 57,050 were engaged in the linen manufacture.[2]

Is the political retrospect brighter? The story told in the previous pages should give the answer. So far, indeed, as a judgment of the conduct of England towards Ireland is involved, we must bear in mind what is often forgotten—the extraordinary difficulty of the task imposed upon English statesmen after the famine. It was the task of governing a country which for centuries had been treated as a half-conquered province, whose aristocracy were unpatriotic, largely non-resident, and unmindful of the duties of property, and whose artificial land system had at last suddenly collapsed; a country where the rich were of one religion and the poor of another, where there existed a strong national feeling but no national institutions, and where the bulk of the people, having lost faith in English good-

[1] "The Irish Land Question" (1869), p. 19.

[2] See statistics of Irish manufactures in Murphy, "Ireland," pp. 32–56.

will and English wisdom, had come to hate English rule. It was, in short, the remaking rather than the governing of Ireland that English statesmen had to undertake, and no judgment would be just which ignored the formidable difficulties that confronted them. But the actual result is not altered by accounting for it. Twenty years ago a fair-minded Englishman, reviewing the Irish policy of his countrymen, would have been bound to admit almost universal failure. The English land laws had failed. The English Church had failed. The English administration had failed. Disaffection had so increased that, outside the circle of the Castle, the Church, and the landlord class, hardly a single Irishman of intelligence could be found who did not believe government by the English Parliament to have hopelessly broken down. The causes of failure were not far to seek. Ireland had serious and manifest grievances. In a great measure they were capable of legislative remedy; yet no earnest and spontaneous effort was made to deal with them, and so long as it was safe they were almost contemptuously put aside. But for the alarm which Fenianism excited, and the fierce light which it threw on the state of Ireland, the disestablishment of the Church might have waited for long years, and a Parliament of landlords would not have sanctioned what they had often called a plan of robbery. English politicians clung to the idea that things would right themselves. The old bad system under which the peasants' passion for land had become a hunger and a disease, seemed to be crumbling away before men's eyes; the power of the priest, which alone, according to a common belief, kept the people from Protestantism and prosperity, was thought to be declining; and time, it was said, would complete the work. The hope of Whig and Tory alike lay in the denationalisation of Ireland. They sought to remove everything that fostered a dangerous patriotism, to weed out irregular customs which checked the progress of agriculture, and gradually to win the country over to English ideas and English habits. It was an impossible policy, exhibiting not only ignorance

and prejudice, but an utter lack of imagination. Its inevitable effect was to confirm the people in their attachment to the Roman Catholic Church, to make a settlement of the land question more difficult than ever, and to revive the sentiment of Irish nationality.

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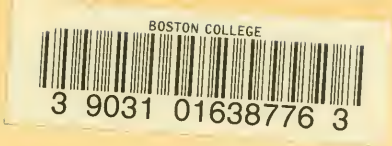
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